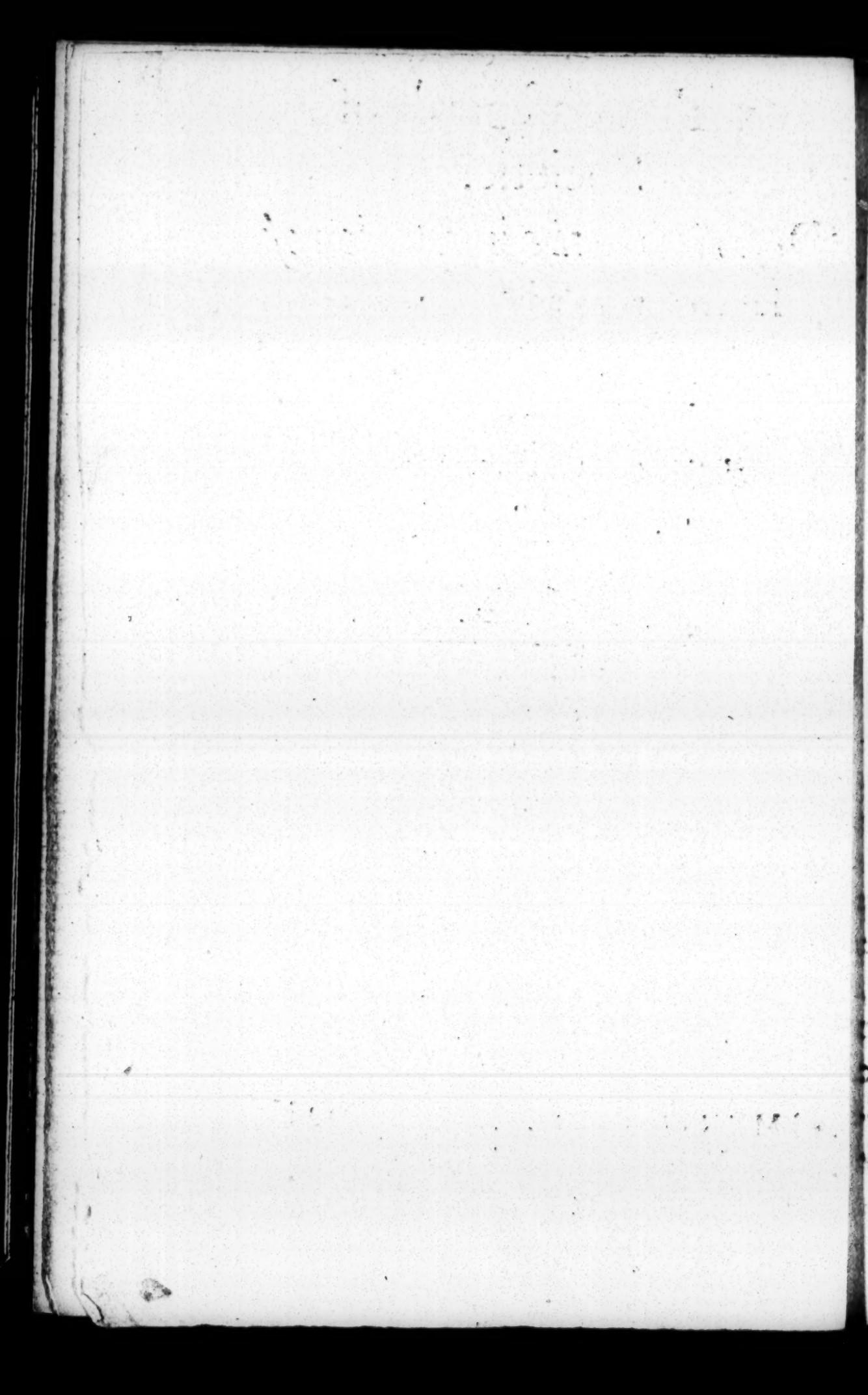


¶ The Safegarde of
Societie:
*Describing the institution of
lavves and policies, to pre-
serue euery fellowship of peo-
ple by degrees of ciuill
gouernemente:*
Gathered of the Moralles and
policies of Philosophie
by John Barston.



¶ IMPRINTED AT LONDON
by John Shepperde. Anno.
1576.



To the right honorable,
his very good lord, L. Robertt Dudley,
Earle of Leicester, Baron of Denbigh, Knighte
of the most noble order of the Garter, Master
of the Queenes Maiesties Horses, and one
of hir highnesse priuie councell: John
Barstow wisheth a long and prosp-
erous life, with all encrease
of honoure and endu-
mēt to ring fatme.



Hen Aristobu-
lus (right Ho-
norable) amhi-
storiographēd
of the Greeks;
treating of the
aoble actes of
Alexander the
Greate of Ma-
cedonia, seemed for his speeches vwith-
out measure, more guiltie of learned
flatterie, than zealous to report so vvor-
thy ghests: the king as highly offended

A.ij.

vwith

The Epistle

vvith suche paynted ostentation of bor-
rovved eloquence, in great choller cast
his Booke into the floud Hydaspes; and
turning him about vvith a frownyng
counteuance, But thou (saith he) deser-
uest most of all to bee drovvned heere,
that art the Author of suche shamefull
follics. I remember it the rather (right
Honorable) for that many else in con-
secrating like labours of learning, to
such as they chose to defend the same,
in commeding their good deserts, haue
vniavvares incurred the yrckesome
crime of adulatior, to gaine contempte
of all their trauellles: vwhich in the vvis-
domme of some, may fitly be compared
to that of *Cato Censorius* an auntient
Romane, that beeing asked vvhyl he
had not his image of remembraunce
kalendred amog the noble VVorthies,
to eternize vwhat a one he vvas: made
aunsyvere, he had rather good menne
shoulde muse, vvhyl he vvas not hono-
red for his vwell deseruings, than any
man

Dedicatore.

man to blame him for condescending
to be famous. But for mine ovvn cause,
in pleading to your honours protection,
for these my beginniogs, as I haue rather
borowred to conceale yowre con-
digne prayses, than to hazard my selfe
all in perill of misliking: so dare I thus
much affirme: In steede of the picture
proponed to Cato, you haue purchased
such memorie by your many merites,
as shall for aye record your noble fame
within the lasting rolls of good report:
which your dayly exercise to conserue
of all men's causes; as rare is founde in
noble men, if your selfe vwould vvishe
to shun silence, yet so great humani-
tie, vwith other qualities, as God, Nat-
ture, and Fortune, haue liberally im-
parted to your being, shall freight your
name and honor euery vvhene, neuer
to bee had of many people in oblivion:
Among vvhich your vronted vertues,
the fauour and affection you bear to
my carning, doth animate many to see-

A. iij.

quaint

The Epistle

quaint your honor w^t their lettered
gruelles, as a fons fudgarden to v^rat saint
eache ones good armen y^v v^r h^ec^t my
selfe, having produced to view what be-
fore this time; b^am can bothe me & g^earely
to sue like v^ris to your allowance, for
that v^rhiche hardly first I v^ras per-
swad^d lightly to presume. For after I
discontinuued the quiettie, before I
could apply to consider of the common
lawes, to v^rhiche I being a knyght by
selfe, I frequented, as I v^ras v^ront be-
fore, to continue reading histories o^f
many people, Lacedemons, Athenians,
Romans & others: comparing by the
way wh^t I could obserue of growⁿ o^f
Philosophie, in which I had bin som-
what studied, and a greate deale more
delighted. I gathered therence also
many common places of the growⁿ
of governmente what policies had pot in
reache: to begin societies for remedie-
ment of a conuict v^ruale: & gathering
therin pleasure, to confer the growⁿths
of

Dedicatorie.

of our english lawes , hovve farre they
vvere excelling in equitie , godly pro-
uisions , and approoued order , the lawes
of other natiōs . And as the times of my
vacations profered , I vvent onvvardc ;
vvith behauour tempered by vertue , to
ciuitie : hovv also policies begā to safē
keepe societies , vvhicke through the
spreading maiimes of vertue , vvere lyke
in fīne to be disperaged : contriuing the
same treatislike , as my vvant of skill
vould give me leaue . VVich priuate
exercise , procured fast a greater busi-
nesse , by vworking me to famoure mine
ovyne presumption , to hazard the rea-
bukes of other men . For vwhen I deſt
thought any part thereof to be ſenclas
broade , my familiar friend , a gentleman
to vvardes your honors ſeruice , nor ſo
neere alied , as vvhom for learnings ſake
I honored , happening of late to finde
the Copie in my hande , and more per-
happes affeected vnto me , than the han-
dling of the ſame deſerued , after hec-

A.iiij.

had

The Epistle

had read avvhile, began to vrge me vce. vvy
ry hard to bee of his opinion: hovve no th
man ought to hide to him selfe any m
thing that may profit others: and flat- or
tering me vvithall familiarly, to thinke th
my labours might be profitable, he pra- h
ctised vvithout nay, to vwinne me to ti
make that commō, vwhich for my selfe so
alone I had intended. He left not also to q
compare the opportunitie and fitte oc- a
casio[n] profered, to make conizaunce b
of the toyall hart, that eftsoones since m
your late being vvithin your stevvard- fi
ship of Tevvkisberie, I vvished to vn- g
folde before your honor, for the greate c
humanitie you then vouchsafed amōg tu
other noble personages to tarie my te- sc
dious and rude Oration, appoynte i to j
your honor, besides your Lordshippes c
liberal revvard & publike cōmendatiō, p
more than any cause deserued. He ad- u
ded last of all, to charge me vvith ingra- h
titude, if not, to satisfie his hest: vvhose
good discretion, I had at other times so
vwell

Dedicatore.

e. vwell allowved, that I thought it iniurie
nothen, not to be consenting to his iudge-
y ment: vvhose singular loue and affecti-
on, I had so many vvayes approoued,
ke that I demed it vnreasonable, to denie
ra- him vwhat he vvished: Since vvhiche
to time, lo croked destenie, cruell Atropos
lfce so enuied him aliue, that his vveb vvas
to quickly spunne, the tvvine vvas cut off
c. at the middest, and vntimely death a-
cc bridged short the freshest part of his pri-
ce mer yeeres: vvhiche so dismayed me at:
d- first vwith perplexed opiniōs of sodaine
n- grieve, that it seemed bitternesse, to pro-
te ccede to that I promised. Hovvbeit re-
ōg turning to my selfe again, as loth to ob-
e- scure my friends deserthes, I thought
to it then a dutie to perimplishe that, vvhich
es che earst I hardly coulde imagine to be
ō, parcell of my charge. I vvas also relee-
d- ued of my greatest care, in hope yourc
a- honour vwould receyue my laboures,
se to bee patron and protectour of my
o cause: for else in such svvalloving seas

A.v. of

The Epistle.

of sclauder, as enuious tonges do fleete
to frustrate all that euer their belching
malice vould haue drovyned in the
bottome of misliking. I had hardly bin
perswaded to aduenture the sayles of
my simple trauelles, vvhoute more
trustietackle, lest so my laboures might
bee construed to make my boldnesse
purchase blame. Hauing therefore finis-
hed somuch as I was able to performe,
of the beginning of lavves to incorpo-
rate societies vnto vertue, vvhiche I
name therefore *The Safegarde of Societie*, I
offer the same to youre honours enter-
taynement, last of all, to intimate the
hope vve all conceyue of your honors
late preferments layde to our tovvne,
to furnish that your noble aucestors
of the Earledome of VVartwick in
elder times begaⁿ: vvhiche some Au-
gures vould suppose, by destenie so
decreed, by one of the same noble
house to be fully perfide. For vvhiche
your firme proceedings; and continual
council,

Dedicatorie.

councell, to fauoure and support oure
being (through the industrious meanes
of the twershipfull Esquier; your sub-
stitute, and our Mecænas, Master Ga-
briel Bieke, vvhom I remember for
his great desernes) as the worthy orna-
ments of true nobilitie, shal make your
name among our monuments of your
noble ancestors, to betalked of, of all
posterities. And for my selfe, submit-
ting me vvholy to yowr honor, that I
may presume your vvonted fauoure,
to accept these fewe vnlerned hand-
fulls, vnlernedly gathered, as the na-
ked grovvches of a barren syde; and
first frutes of such an enterprise (vvhich
to satisfie his ghoste, that layde the
charge vpon mee, I am forced to sue
and entreate for to passe it vnder
vvarrantee of yowre honors good pro-
tection, vvhose onely name, maye
priuilege my cause. I surcesse to holde
you from yowre vvaigntie businesse,
vwith the pleas and circumstaunces
of

The Epistle.

of my grosse and tedious stile, only cra-
uing pardon for my boldnesse at the cē-
ture of your due correctiō. And as my
bounden dutie is, beseeching God, as I
shall alvvayes pray, to direct and leade
youre honour still, in the godly course
you haue hithervnto most godly trauel-
led, to bee a sure pledge of councell to
your gracious soueraigne, an earnest
fauourer of learning and religion, & a
carefull prouost for the publike vveale,
vvhile life lasteth, to gods pleasure, who
euer preserue you in honorable being,
to your latter ende, and sende you
felicitie to endure endlesse.

From Tevvxberie the
22. of Februarie.

Anno. 1576.

Your honours humble
and most bounden,
John Barston.

To the Reader.



VWas alwayes of the mind, gentle Reader, that they presume many greeuous labours, which offer their paynes, to treate any thing in writing. VVhiche C. Lucilius so well considered, that as Cicero reporteth, he was wont to say: neyther learned or vunlearned should reade his doings, bycause the one was ignorant and vnderstood nothing, the other was too wise for him to aunswere their expectation. For some will blame the matter, and some will mislike the style: many judge others by them selues, and none condemneth not the same that many else allowe. The onely cause may bee, for that they ponder not, how euery man hath a certaine veyne, eyther by imitation so confirmed, or by long vse so rooted, or else of desire to be playne, so growen to an habite, that his inuention and stile cannot be other than hee vseth: for, some doe hate breuitie, and some thinke all that is long to be tedious: as Cicero, that was so copious, as nothing coulde bee added: and Demosthenes so briefe, as nothing could be taken from him. As Cicero, that woulde not leauue, till the eye, the eare and mouth of the reader were ful in euerie sentence: and Salust was loth to fill one of them,

*Cic. de orato.
re. 2.*

To the Reader.

them, with an whole Oration. The Lacons in ~~se~~
like manner, woulde abide no length: but the ~~et~~
Greeke Sophisters woulde make an Elephant ~~gi~~
of a flic, and a Mountayne of a molehill. Some ~~es~~
men also loue to haue a thing stile like; and o-~~he~~
thers care for no more but the very sense. For
the manner of inuention, some folowe diuisi-
ons, some similitudes and examples, some the
conclusions of Logicke, and some the vse of e-~~ch~~
loquence: and none there are, that meddle not
other mens authorities with their owne inuen-
tions. VVhereof saith *Afranius Albinus*, It is a ~~vi~~
certaine frute of reading, to follow that whiche ~~m~~
in another is allowed, and to conuert the no-~~th~~
table sayings of others, to some vse of thyne ~~R~~
owne. And therefore *Afranius*, to suche as re-
procued him for borowing certayne speeches ~~ha~~
of *Menander* the Poet, I confess (sayth hee) I ~~ch~~
haue not only borrowed of him, but also of e-~~re~~
very other Poet, as much as I thought my selfe ~~so~~
was not able to améd. And so sayth *Quintilian*,
we must imitate the little bees, that gather ma-
ny floures, and dispose the same in combes, to
worke out of many good mixtures, the good
and holesome hony: for (saith he) when a man
readeth the learning of others, he sheweth him
selfe to profit by conuerting the same to ob-
seruations

Albinus.

Afranius.

Quintilian.

To the Reader.

in seruations of his owne. For example, what Po-
et almost hath not to do with *Homer*? as for Ver-
gill, he folowed his method in a thouland ver-
nes: & *Strabo Cretensis* was Homericall in al that
he did. Did not *Cicero* likewise apply to *Plato*
or *Aristotle* and *Demosthenes*? and did not *Quintilian* and the
succeeding after him folow *Cicero*? for it cannot be a-
missie, saith *Plinie*, so that thou giue thine Au- *Plinie.*
uthor the praise that he hath deserued. As *Tba-* *Tbales.*
Milesius aunswered *Mandritus* the Philoso-
pher, I desire no more (saith he) but when thou
aviest any thing that I haue taught thee, confess
me rather to be thine author, than that any o-
ther inuented the same. I stād the longer gentle-
Reader, to prooue my first allegation, for that
my rudenesse of phrase and tedious stile, may
hardly scape rebuke, & also my borrowed spee-
ches, of the store of other authors, may seeme
to some not tollerable: besides, the argumente
so often handled of many learned heretofore,
may be the lesse esteemed. These are great cau-
ses to dissuade one frō such vnhākfull trauels,
I had almost discoraged my simple skil, to bu-
sie me with that which becometh riper yeres &
mē of elder iudgement, if I had not hoped the
indifferēt Reader will cōster well my good in-
tēt, being also of opinion for myne owne part,
that none may excuse his idlenessse that may be
profis-

To the Reader.

profitable any wayes to himselfe and others. I haue therefore, by request of others, boldly aduentured to make commō mine ignorance, to stirre the learned hereby the rather to exercise their knowledge. In whiche I haue not laboured so muche to teach any, as to vtter what my selfe haue learned: I haue studied more , to report the wisedome of others, than to furnish mine owne inuention: I haue rather remembred, what is commonly knownen of all, than deuised any manner thing of newe. For who knoweth not, that euery societie of people, is established for common weale? who knoweth not the same is by lawes confirmed? and last of all, who knoweth not that lawfull gouernement is it that directeth all degrees? which good direction, bringeth felicitie vnto all people, and especially ciuill behauour in townes and cities. Howbeit, the great securitie of magistrates, the lewdenesse of the common sort, the manifold abuse of lawes, the shamefull exclamations vpon gouernement, and the foward manners of all degrees, cannot in any volumes too often be remembred. And therfore, haue I offered(gentle Reader)to thy friendly enterteinement, this vnlearned treatise, of the *Safegard of the Societie*, howsocuer the matter and stile may sa-

like

To the Reader.

like thy iudgement. Of regiment and common
weale, many woorthy works haue bin written,
& (besides the Bookes of holy Scripture) none
more necessarie: and I woulde to God, they
were so well folowed, as they bee commonly
talked of, of all people. But of that special kind
of societie and felowship of one people, gathe-
red togither in one towne, whiche resembleth
the beginning of all ciuitie, and is the lively
president of behauour to the rusticke and ru-
der sort, haue I chosen chiefly to entreat. Ne-
uerthelesse, I haue first begun with the ground
and necessarie of lawes, to shewe, that after
losse of original righteouesse, though the law
of nature might reproyne mankynd of wicked
doing, yet the same nature, being once corrup-
ted, and euer tending from euil vnto worse, it
was needefull that temporall lawes shoulde
quicken that mayme of obliuious nature, and
to declare that vnder peyne, which nature had
most gently charged, all whiche was to restore
man agayne to his firske condition. VVhyche
good lawes, I haue also proposued, to worke on the te-
feder seedes of the same originall goodnessse,
that still do remayne in man, notwithstanding
that he is vngoverned with vngratiounnesse: so that at last, the
savage people of the first world, as it were sub-

B.

mitting

To the Reader.

mitting them selues to rule, began kingdomes, and after that, putting off by little and little their wilde and vplandishe manners, they practised to gather themselues into societies of townes and Cities, fensing and defending the same, with as much safetie as they coulde devise, from the inuasions of their enimies and straungers. Then haue I also described a Citie and common weale, with the generall charge that longeth therevnto. And before I come to the peculiar duties of all degrees, as the same is by ciuill policies and compulsarie lawes described, I haue first vsed the morall instructions that philosophie teacheth, howe mans life by only course of vertue should be directed: And then haue I noted the state Oconomical, of the duetie of mariage and household, with the circumstaunces of the same, as necessarie accidents conducing to the furniture of good government in the body politike, being the firste societie, and the very beginning of all other. Then haue I sequestred societies, into sundry kindes, to the only intente, that the necessitie thereof appearing in priuate causes, the publik societie of all, may be duely honored: And that by obseruing the *decorum* and comely behauour, in particular degrees of felowshippe, the common

To the Reader.

common preferment of all may be more easily perfited. VVhiche being done, I haue last of all concluded the duetic of both degrees briefly, as wel comon sort as magistrates, and how necessarie good councell is vnto gouernemente and the office of a counceller: and therewithall, what things chiefly do belong to commō prouision, for the profit, preferment, safegard, and estimation of al societies: wherein I doubt not, but the vnlearned, though he gaine none other profit by reading, shall yet bee delighted with the varietie of examples and speeches of learned writers, whiche I haue filled euery leafe withall, to recompence his leasure bestowed therevpon. As for the learned sorte, I rest mee wholly on their wonted humanitie, that fauourously construeth euery mans good intent: whiche though I neuer prooued in mine owne trauelles, yet if I may purchase pardon at firste, I must needes accompt it a rewarde of happie hire. And then I feare not the report of Zoilus broode, that vnhaspe their tongs, to be finding faultes, of onely malice to deface mens good deseruings, or else bycause they hate to say wel of any: but I only wish them, to prooue like labourers before they reprooue my trauells. And so I commende the whole cause (gentle Reader)

B.ij.

(der)

To the Reader.

der) to thy correction, only crauing, that iffault
may bee founde with my boldnesse, that my
good meaning may excuse the blame: and
where my rudenesse wanteth cunning, that
thine accustomed sufferance may not be de-
 nied me to remitte all that mine ignorance
hath offended. For so shall I be encou-
 raged with better will, to employ
my selfe to deserue better
heereafter.

(.:)



I. Har. Oxoniensis car- men ad Authorem.

Vi posuit dulces discendas Palladis artes,
Q Ne studet optata n, cūctis prodeesse Mineruam :
Sed vitam traxit, sic prorsus inutilis esse,
Id mercedis habet, Musis indignus baberi.
At tu a te Pallas urget, persoluere munus,
Dum labore est ciues patrios, pietatis amantes,
Flestere : testis opus, nulam periturus in ævum.
Hoc mercedis erit, patriæ quod charus amansque,
Iuris, honestatis, legum Barstone tulisti :
Hoc mercede erit: spero te semper, & opto,
Iuris, honestatis, legum pia cura manebit.
Et quos cœpisti, perfectos perfice gressus :
Id manet in votis, cuius te sepè rogantis
Non spreti velles bos tu sumpfisse labores.

I. Barston ad eundem. I.H.

Va potui crassa, tandem persoluo Minerua,
Q Suscepsum dabit, sed temerantis opus.
Quod vietus fecerim precibus suadentis amici,
Id reor adscribi, crimen amice meum.
Non ego mercedem curio, sed merces ut ista
Pensetur meritis, lectio fausta meis,
Hoc etenim capio, si vel contingere posset,
Ut discant ciues iura tenere pia.

B.ij.

Utque

*Vtque fidem seruent, & publica munera iustun,
Vt sint concordes, dissidiumq; vetent.
Id ego mercedis petij, ne zoilus acerbet,
Fastidij pñas, id mihi merces erit.*

T.G. to the Reader.

The restlesse busse Bee, doth rauinge
about the fieldes, to reape
The sootes & hearbes, that serue hir turne,
to be hir dayly meate :
Which layed vp within hir stalles,
She workes hir secret skill,
Besides to feede, with sweetely breathe,
hir arte soz to fulfill.

That is: soz to conuert the same,
To juice of honie sweete,
By laying soorth hir soote contents,
In combes therefore most moete.
Which done: the Gardner then proceedes,
Soz to employ his paynes,
And to collect these stalled wares,
To yeeld his laboure gaines.

The same he tries, and never leaues,
Till arte hath made it pure,
Which then, a thing of worthy price,
Will prooue, he can be surc.
For this is true: that never it
corrupted shall you see:
Besides, it suffereth nothing else
corrupted soz to be.

The

The Bee therefore, doth serue our turne,
the Gardner merites prayse :
The like euен so, may be compard,
of learning nowe adayes.

The sages graue of elder time,
haue played well the bees,
Their lerned works with hony sweete
together well agrees.
Whiche never touched with the fire,
of christian skill, I meane,
From Paganisme deseru'de also
to be depur'd cleane.
In which these latter times of vs,
haue many done their care,
My friend, as one among the rest,
I boldly may compare.
Whiche noting first the vse of lawes,
to shewe his countrey zeale,
Compendiously employed hath
the same to common weale.
A stall of hony-sweete, no doubt,
if well we tast the same,
And well repurgde of paganism,
cleane changed from the name,
Whose nature also is so sounde,
as else in it we finde
A vertue eke, repugning cleane
corruption of the minde.
For iessons good, are learned here,
to exercise alwayes,
By lawes and lawfull policies,
a life deseruing prayse.
Give then the authour also praise,
though none he doth desire,

Let

Let Barston gayne a better meede,
than Zoilus wonted hire.
For these his labours, well deserue,
blaine not his good intent,
Conesse the same, let praise alone,
so will he not repent
That so himselfe aduenturde hath,
to satissie his fronde,
Nor will denie his friend the like,
if friendship nowe he finde.
What greater prooef of great good will,
than loue so printed deepe,
As mindful of his friend, though dead,
his promise for to keepe?
With fauoure then, his labours reade,
the dead woul'd so desire,
And Barston craues none other yrice,
but fauoure for his hire.



THE PROHEME or introduction, shewing

how cities are incorporate & maintained
by lawes, and also that for want of incli-
nation to vertue and vertuous liuing,
lawes were first put in vre.

CHAP. I.



Tis first of all
most manifest,
and comin ðer-
perience teacheth
that whiche the
philosopher say-
eth, to bee verye
true, That with ^{No citie} lawes there ^{without}
can be no citye ^{lawes.}

at al. For if the citie consisteth of a multitude,
to bee well ordered and civilly gouerned in
many degrees (as shal be shewed after) how
can the same stande without politicke and
lawful rule since the nature of man is so cor-
rupted, þ naturally he hatth vertue, & is most

C. Shame-

The Safegarde

Lawes
spurres to
vertue.

Virtue
what it is.

shamefully prone to al maner vice & naughtiness? Seing also lawes are nothing else in deede, but spurres to prick men unto vertue, fetters to controll vice, and iust iudges to determine both aright. And therfore even the Paynimes, as many as treated of regiment of common weales or Cities, as Plato, Aristotle, Cicero and others, began first of all to set forth vertue, before they prescribed lawes, as it is the only cause efficient of a chayll and happye life, and the final cause of all, why lawes were first invented. By which they wold learne all people, that if vertue for loue of hirselfe might be imbraced, then lawes, the instruments of compulsion, shold never be attempted or put in execution. For vertue, they conclude, to be the fountaine and roote of all that may be called honest and good, the possession whereof must needes be then the ouyl ornament of mens life, and the marke that lawes and policies doe tende unto. For thys the Philosophers gather it, by defyning eche circumstance. *Virtus est habitus, qui inclinat voluntatem ad obediendum rectarationi:* Vertue is an habite or notable disposition of the minde, inclining and drawing the wil of every man to obey reason. D^r as Aristotle and Ci-

cero in

Cero both say briefly: the very consente of
 righteousnes of reason it self, which reason also
 is defined part of the mind þ discerneth good Reason
 from evill, embraceth vertue & shunnethe vice: þ what.
 as Aristotle hath in the place aforesayd, an- Eth. 6.
 nected and agreeing with Prudence & Wis- Tusc. 4.
 dome: Which Prudence saith Cicero, is who-
 ly occupied in searching and invention of
 truerþ, whiche argueth that nothing can haue
 parte with vertue, which reason by wisdome
 bath not approued for honest and good: which
 consequently is then to be called vertue and
 not before. If vertue then swaruethe not from
 reason, and reason is ioyned with Prudence,
 & Prudence trugeth the Truth: it agreeth well
 that prudent and wise policies, devised good
 and resonable lawes, to worke in men þ true
 understanding of vertues loue, whiche bring-
 geth happiness, from whom they were decli-
 ned. By this appeareth, that for vertue and
 agreeing with vertue, it was needfull that the
 lawes should be devised. And to proceed fur-
 ther, what in very deede doeth vertue in com-
 parison procure, that lawe likewise intendeth
 not? By vertue are we learned out of Cicero,
 first of all, what is honest and dutiful beha-
 viour, and what with honestie agreeth and
 what is contrarie: Secondly howe to pacifie
Three effect
tes of her.
 C. ii. and

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The like
effe^tces of
lawe.

Vertue. 2.
manner
was reli-
ued.
By philo-
sophie.

By lawes.

and rule the disordered passiōs and perturba-
tions of the minde, and to subiect the motions
of our appetites and vnrulie wil, to obey rea-
son. Thirdly to know office and dutie to such
as defende our tranquillity, and minister iu-
stice to all that are oppressed. And wherefore
else serueth lawe, but that publike honesty,
dutie and office may be preserued, evill affectes
of men suppressed, magistrates that do iustice
obeyed, al trespassours and malefactors pu-
nished. And bycause those honorable vertues
were defaced by that natural corruption that
linually descended on al þ world by wilful se-
curitie of þ first mā, þ was stalle^d in so great
dignitie: it thē resled, some meanes to be pro-
cured for reparation of man again, and to re-
fourme his manners by helpe of these small
seedes that yet remayned in him. Wherefore
as God bestowed his gracious wisedome, so
two maner wayes that great decaye was
set vpon, to be salued first by moral discipline,
which without correction, learneth mē hone-
stie, iustice and good manners, by rules and
good lessons of exhortation, and then by pe-
nall lawes, which argue and chastise the in-
solent behauour of leude & evill persons. The
first was vsed of the learned & wise, whiche for
their

their zeale deserved to be called philosophers: the seconde was the practise of all politike good princes and magistrates. The first was chiefly exercised of Philosophers, but the seconde they also noted, to regiment not unecessary, as appeareth in their bodies of policies and common weales. And the second did princes and magistrates put in execution, because the first was negligently regarded. For during the golden woldē (as the heathen nations did reeke it in time of ignorance of Gods lawes) so long as philosophie was the Goddesse of all nations, the very loue & commendation of vertue, was sufficient price, to invite and stire men to all maner goodnessse: but when these iron times were come, that vertue was exiled, and the rust and canker of vice freated mens hartes to chuse the deapth of evil: the malice of man deserued in steade of good counsell and gentle admonitions, to be checked with rigour of lawe and extreme punishmentes. As noted Aristotle, to one that asked what he gayned by Philosophie: Mary saith he, I learne to do that for vertues sake, whiche the common sorte of menne are forced to do by law, for feare of paine. Whereto likewise applied Cicero, when he sayde:

C. iii. Alter

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*Aliter leges, aliter philosophi tollunt astutias :
Leges quatenus manutenere res possunt, philosophi
quatenus ratione & intelligentia, Lawes doe
shifte falsehoode in one manner, and philo-
sophers after an other: that is, Lawes in re-
spect they can maintaine by authoritie: and
philosophers vse reason and perswasion too
mens vnderstanding. And therefore was phi-
losophie as high in admiration, for the singu-
lar effectes it wrought in that age, as since is
incident to the notable vertue and approued
force of lawes. Wherof said Aristotle, *Vocari
potest sciencia veritatis rectae*: Philosophie may
be called the science & vnderstanding of the
very vndoubted truth. And in an other place
saith he. It hath seemed to many men, a thing
maruelous and full of diuinitie. In commen-
dation wherof he also wades so farre, that he
affirmed no knowledgē to it is comparable:
for it cleāseth & beautifyeth the mind so much,
that in this life it is delighted with al maner
perfection and righteousness. Of which Boe-
Epist. 16. ad riū, also sayth: It fourmeth and fashioneth
Lucilium. the minde, it disposeth a mans, lifeth direceth
all his doings aright, setting him y faire way
out of daunger and perill, For which causes
being worthily in that veneratio and digni-*

Arist me-
taph.2.

Arist de ce-
lo & mun-
do.

Lib de Po-
mo &
morte.

Epist. 16. ad riū,
Lucilium.

tie of olde time, the same hath authorized suffi-
ciently the most parte of al holesome lawes
since, in that they are so grounded on philo-
sophie, as they are none other, than the mouth
and execration of the same, taryng and com-
pelling men to doe that by paine of lawe,
which philosophie was wonte to perswade
by reason and for vertues sake. In this ther-
fore is briesly shewed, þ to al maner regiment
lawes are necessarie, bycause they must sup-
plie the want of good will, that all men haue
to vertue equally. And by consequēt, it must
needes then followe, that to incorporate so-
cieties and folow shippes of men, to be print-
ed in ciuill townes and cities, the know-
ledge, obseruation and care of lawes is mosse
expedient, the cause and groundes whereof
were first to be declared, which cause is alrea-
dy shewed. Now next to the groundes and
diuersitie of lawes.

Of diuersitie of lawes, the lawe of nature,
the lawe of nations, the ciuil lawe and law
of Moses.

CHAP. 2.

C. iiiij.

¶

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It bath bin manifessly declasred, if Man were so wel inclined to vertue by nature stil, as in the beginning he was created, there had needed none otherarme to frame him to goodnesse, tha the same his excellent nature & native conditiū. And yet experiece teacheth, in that miserable seruitude and bondage that man did cast himself into, there remayned neverthelesse so god nütious and reasonable instindis of nature, that good and holosome lawes might easly restore a great parte of that or perfection and losse of libertye. For who seemeth so savage & brutish, that eyther feleth not the gad & prick to vertue, sining sometyme in his vnderstanding, or else is not mollified by lawefull regimant, to subiecte himselfe to rule and order, through the sparke-ling gleames of original integritie, less hirre still in possession? whereof saith Aristotle: *Omnibus à natura quodammodo tribute sunt virtutes.* &c. To al men after a sort is vertue giuen of nature, euē all manner vertues that are namyd of any good manners and qualities. For naturally wee are possessed of the groundis and fieldes of all kinde of vertues.

as soone as we be borne. But how these seeds
are also choked by the growing corruption of
natures soze, if they be not salued and releued
by good governement, Cicero setteth forth in
his Tusculan questions, where he argueth þ
sufficiency of nature, without al disciplin, if þ
same were rightly understande and folowed,
saying: *Paruulos nobis dedit igniculos, quos ce-
teriter malis moribus, opinionibusque deprava-
tatis, sic extinguimus, ut nusquam naturæ
lumine appareat.* &c. Nature giueth vnto vs lit-
tle sparcles, which through euill manners and
corrupt opinions we quench so soone, and do
þut, that the fire light of nature can not bee
þene. For such seedes of vertue are planted in
our understanding, that if they might growe
and ripen, very nature woulde produce and
guide man to felicitie. But as soone as we be
borne into the worlde, such naughtinesse and
towarde opinions come vpon vs, that wee
reame almost to sucke errore and vice at our
mothers teates. And deliuered ouer to tutores
gouvernours, we are by & by plunged in such
a diversitie of deceyuale errores, þ truth must
eld to vanify, & nature giueth place to indu-
cione & stis optniōs. This much Cicero. Neuer
espelles euен nature hath hir law ingrassed and

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growing in every man, by which he is iudged
of himselfe, and may be amended, if his owne
frowardnes woulde subscribe therunto. Which
law is the president, foundation, the Maxime,
rule, and most reasonable ground of al lawes
besides. Which shal more appere, after I haue
described generally what law is, what y^e same
worde meaneth, & how it is appropried to that
name & defined. Wherefore it is sayde Lawe
is a constaute, inviolable and perpetuall good
thing, without whiche no house, no Citie, no
countrey, no state of me, no natural creature,
nor the woldē it selfe can consiste firme & sta-
ble. The reason is, for that, It obeyeth God,
as the only and eternal lawmaker & iudge: &
al other things, as the heauēs and course therof,
fire, ayre, water, law, and man, obey it. Which

Chrisiphus. is also called of Chrisippus, the knowledge of
Cic de leg. Divine and humaine matters, comanding e-

2.

quisite and expulsing wrongs. Wherof Cicero
said; it is neither invented by the wit of man,
nether is it the knowledge of any people, but
a certaine eternall thing, to rule the whole
world, wisely commanding or forbidding,
whatsoever may be brought in questio. It is
also called, the greatest reason, and chiefeſt of
all

ly could be engraffed in nature: which rea- Cic.de leg.
son, so soone as it is firmly stablished in mas
ich minde, & depely roote, then the name is chaun- i.
ched to be called *Lex* or Law, sayth the same lawes.
es Cicero, in his former booke of lawes. And the
ue is it in autho^rs declared tripartite: as it com-
one p̄tendeth þ law of nature, the lawe of nati-
at ons, and þ civil law: called in latin, *ius natu-*
reale, *ius gentium*, & *ius ciuile*. In which ter-
od nes of *ijs* and *Lex*, i. Righte and lawe (yet *ijs*,
no o:only englisched the ones, other generally
e, termed law) is made a certaine difference, to
i- rplane the thing: for *ijs* semeth to haue the
D, name of *Iubeo*, to commaunde or býd, being
E indeede none other, than the charge of nature,
f, & generally of al natiōs, or else the custome of
b some certaine and peculiar people. And *Lex*, Lex.
s so called à *Liganda*, to binde: as much as to
ay, when cōmon cōsent hath agreed, to force
nd compel men to stand to natures decrees,
he same are then to be denominate binding
awes. By which comparison is made the se-
ond difference, in Aristotle, applying to *ijs*,
the prescriptiō of al unwritten lawes, conclu-
sing in *Lex*, the certaintie of al that in tables
& bookes are set downe in writing, where,
disputing of customarie righte, and lawfull
iustice

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Aris. &c. 3.

justice by lawes, he sayth, *& a utilitas, qua leges*
introducta est, certa obligatione constat: that vtil-
itic and profit, whiche is permitted by assu-
raunce of lettred lawes is by good bandes as-
sured. Such printed laws were those of Mo-
ses, that in þ stony tables were engraued, be-
ing yet none other than the same very law of
nature published in writing, that so many hū-
dred yeeres before was able to overcome the
world of offence, by testimony of themselves,
whiles yet they seemed lawles, only bycause
they wanted the same in writing til Moses
time. And now as touching the sayd lawes,
they are thus defined. First of þ law of nature
saith Aristotle, It is such a law, as the vertue
and force thereof, is all one and the same every
where, not proceeding of man, but of nature
hir self. Or rather we may say on this wise:
the lawe of nature is the very notice of gods
law, imprinted in the nature of man by god,
by which he understandeth there is one God
creator & gouernor of al things, just & good,
rewarding the godly and punishing the wic-
ked, to whom man must render all obedience,
by which he also knoweth, that among men
is a common societie and partie to be kepte,
the parentes to be honored, to loue and helpe
every

The law
of nature.

Arist. eth. 3.

every man, & to harte none, according to that
Maxime of the same law, saying : *Quod tibi
fieri non vis, alteri ne feceris*: That which thou
wouldest not suffer thy selfe, do not to ano-
ther. That is briesly the sume of the lawe of
nature, as it perteyneth to man in particular
of speche, not so equallly as it concerneth al other
lively creatures besides, as in the naturall
the qualities and properties of eche kinde experi-
ence teacheth. About whiche circumstances,
I will not betedious, for that al men can ea-
sily discern what nature willeth: besides that,
all lawes else explane the same, out whereof
as y fountain of al, they procede & are derived.

The second, y is, the law of nations, cannot o-
therwise be described, than the law, the custo- The lawe
of nations.
mes, manners and prescriptions, whiche are
in like condition universall and common to
all people of the worlde and none excepted.
for the same is confounded with nature, in
such sorte, as they can yeilde no reason thereof
more than the motions and instinctes of na-
ture, growen to be irrevocable obseruations
of antiquitie. By meanes wherof, corruption
of nature, during the times of ignorance,
brought corrupt lawes amongst al nations,
by ill certaine ciuill lawes could abridge those
customes,

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The civil
lawe.

customes, so that al that while, nothing coulde
seeme vnlawfull, that carped the shewe of naturall
causes, eyther sounde, or else corrupte,
of which kinde, were many notable decrements
emparled in the iudgements of the nations: as
for example: To resist violence was lawefull.
To breake promise with one vnjustly of pur
mise, was tollerable: To deceiue the disciu
full was no disceite: To beguile the crafty
was commendable crafte: One harme might
be done for another: As every one deserued
was his iust rewarde: He was not wronged pa
that woulde suffer wrong: one vniwares de
ceiued, was without remedy: Every man by
sed his conscience, to the best aduantage: it
manne might hinder his neighbour to prote
cte himselfe: In daunger every man for him
selfe, and such like. In so muche that durin
those darkesome times of ignorance, whiche
they were onely led by nature to construe a
by common course, that vniuersally was vsed, so
fewe things were not lawful that were of the
goodnesse of nature abhorred. and so con
suited of long time among the civil lawes of
the heathen, as also the most endire to this
day, wher godslaw is unknowen. The thirde
is the civil lawe, is called every priuate lawe
couisid and vsed by one certaine and peculia
people

ou people, differing from the lawe of nations
f n (saith Aristotle) in that eft sones, the diuersity
pt of time and place altereth the condition of cō-
tra mon weales: but þ vniuersal law of al is never
s: chaunged: agreeing, saith Cicero, in that þ what-
ever is general to al natiōs, belongeth also to
þre every speciall communaltie of people, though
ceit contrariwise many customes and lawes are
stablished in one citie and other more, in diuerse cō-
mon weales & many, & yet are not common
vnto al people else. These are briefly described the
gē partes of that vniuersal name of lawe. And to
ðe conclude, all th̄ee, the lawe of nature, the law
n of nations, and ciuil lawe, are so lincked to-
ge: either, as societies and common weales, must
þreedes participate them all as they are alfo gi-
vnter by degrees. For generally hath natur first
in associat all men vnder hir obedience, and then
þe of that vniuersall societie all nations were
e a multiplyed, & last of al eache priuate corpora-
tion is privileged of both, before any ciuil la-
wes are made. For nature, saith Cicero, is the
conuentaine of lawe, and all ciuil lawes be de-
cived from nature. But to speake most proper-
thy, those lawes, that in Aristotles division
hirre called *Ius legitimum*, whiche wee maye
law earme statute lawes, or actes of parliament,
Julia
copie
were

Eth. 5:

Offic. 3.

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Ius legitimus.

Incest
made law-
ful.

Chest
Adultery
lawfull.

Theodorus

Were in deede most vsually named lawes, none else, when all other were named onely customes, vses, and prescriptions, whiche bare the name *legitimus*, lawfull or lawfully enacted, by cause it then was of force and authoritie, when common consent had subscribed therunto, and not before, whiche else auayled nothing of it selfe, to abridge any one his liberty & freedome. Of which kind also, were many & innumerable almost in euery nation, so long as Moles law was vnknowen, every people using it, not only tollerable, but also lawfull, to whatsoeuer their corruptible nature was inclined. In so much þ lastly most danable & wicked enormities agenst nature were established for filthy lucre & licentious pleasure to take credite by their lawes. As among the Athenians most shameful incest was lawfull so that the brother by their owne lawe might mary his own sister: among most of þ Paynimes, one man might haue many wifes, be diuorced as often as he list: among the Egyprians and Lacedemones incest was lawfull, adulterie, sacrilege & most offences among

many were vnpunished. So that Theodorus was wort to say: A wise man sometimes may steale for necessarie, & satissie his lust wi-

in that he maye knise, bycause all pleasure is
natural and therfore most unhonest. And whil
thero ffor the best common weales to kepe and
many squalre abuse or authoris by lawes
Agaynste your counseil, that when citis and
gentylmen of those populus, of a pernicious headis
chirche shal mighte folow althrough want and
scarceyng, that to breake the bondes of mat
ocher might be erred lawful land assympc
tions shalde shewd to be lawe altho minge shal
in stead of nature, that to the lust of ffreedom
and libertie shal be counted tollerable. Wherof
in this was afterwad maintayned to be latice by
statute. It was openlye proclaimed in ryghte,
that all agyd and decepit persons that were
maried, shalde subiect thys fulnes to their
hired servantes and maids; and altho the
masterye freelye by consent of husband with
the wifes assent shal be the oþer partie
maner to make neþer slouen to be rukid by
resydens in his wifes chamber. And that by
lawfull to assent most to her rebuffed. Wher
upon the wifes and her theþerhouse wifelawis
gynge to þer more nobly, shal do noþing of þese
thynks, þey shalþorþe and receyval and þis to þe heathen
þey shalþe not alþogither wþþ þe religioun superstitution.
þer rather suggestion also, to strengthen the
credit

Uncleanesse
against na
ture lawfull.

A lawe to
make wifes
koldes.

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ewit of the same lawes, sauing that the same
Religion was as naturally corrupt, as they
lawes were ungodly devised. For it woulde
trouayle that made them religious, myghte
hinder them the body and true God indeede.
But as they were touched with iniurie and
and mōved to thinkt otherwas someskeynge
lenthature abode the wyl, so they imagined
negallible, sache worshyp and veneration; and
this ignorance lyked, as sayde the poete of
Job in his deo farror, Feare was na
time through the world; Goddes first of all da
yghtis. For none is so savage and sensellie
that in extreme daunger seeketh not couer
of God, howbeit blinde with superstition.
They schone not alight, but fall to extreme an
mōwabilitie, as suppon me thinketh best bys in
dencion: shall we knowe, making them
many odysse of many fearmes and talions
and darters ballinges. Such were Moloch
Baal-Poor, Nabuchadneze, the grout of thon
-dothe. Such were the images of mōre
which stande Optimes eternized and ex
alted by the dantes appellation of God,
such as Jupiter in stonyes of tempe
Merkail to the lande no release possesse. V
such Optime Antemone and helly pleation
Bacchu

and Bacchus for howsing, quassing and drunkennesse, and such like: whiche grewe to such madnesse at last, that every God had a superstitious and solemne sabbath, in whiche to do most abomination, was highest holynesse: to banish and constuprate young virgines, to bee token for the best game, and to sacrifice their owne bloud. They asked councell of the Devil by oracles: and among Devils þ Prince of all Devils, Sathan, was honored by the names of Pluto, Ditis and Neptune. Every people had their ceremonies of iniusticie, proceeding from the inventions of one or other: from Mercury and King Menra in Egyptes Melissus foster father of Jupiter in Creete: Orpheus and Cadmus among the Grecians: Janus and Faunus among the Latines; Numa Pompilius among the Romanes: howbeit notwithstanding their Religion, they were yet irreligious: and albeit they had such plenty of Gods, they wer neverthelesse altogether godlesse, bycause they religion was superstition, and their putatiue goddes, traentions of vngodlynesse. I haue noted this muche briefly as I coulde of their Paynime diuinitie, for none other cause, but to shewe, that all Christians and godly governours chur-

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Heathen
lawes princi-
pled of fay-
ned Gods.

and magistrates, build the substance of they
lawes and regiment on sincere & true pietie
so these faithlesse generations, in that godless
time of infidelitie, yet studied to incorporate
all that they wanted, with the credite of some
kynde of Holynesse: in as much as the heathen
lawmakers supposed the authoritie of they
imaginacions and constitutions, under the
privilege and decree of suche fayned goddes
as their godlesse invocations coulde devise
for so Osyris made Mercury Author of the
Egyptian lawes: Zoroastres set Ormiasus o
ver the Bactrians and Persians: Charmunda
appoynted Saturhe to the Carthaginians: So
lon chose Minerua for Athens: Zanoxis pla
ced Vesta with the Scythians: Minos named
Jupiter in Crete: Licurgus authorised Apollo
with the Lacedemonians: and Numa Pompilius
honored the Rimplhe Aegeria among the
Romanes. These were (no doubt) such wil
policer as the wisdome of their depraved na
ture coulde intende naturally; to trust they
common weales with lawes; But to o
uerpassethese endlesse and fruitfull dispat
tions of the Ethenick observation of the
three kyndes of law briefly propounded, I now
Moses law, most specially the common weale of Israel
and

beynd regimete of the Jewish nation, to be
that most substanciall argument of good go-
vernance, that alone may be the president of
all people. For as the Jewes being sequestred
from all nations, were the most auncient peo-
ple of the world, of whome and none else is
any thing notable or almost once remembred
during the first monarchie of the Chaldes and
Babylonians, about. 3400. yeeres after the
beginning: so the Jewes law published by
Moses, from the eternall and true God, their
most sacred and holy lawmaker, in it selfe
deserveth most constant credite, to be learned
and obeyed of all people, as the most pure
and righteous lawe, the onely originall
of all good lawes, and firsle of all written and
compilgate of recorde, before any lawe of
nations. For where God had first planted
in man the lawe of nature most perfit and
vniuersall, and by Adams fall the same was defa-
mented, and of his posteritie so muche corrupted,
that mans obliuion was some way to be co-^{Natures} law ruined.
dicted and reviued: God by Moses proclay-
med in the wildernesse to Israell that was
escaped the iniquitie of nations, that they
ould prepare them selues to a newe hea-
tning, to receyue the lawe written, that could
D. iii. reduce

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reduce them againe to natures lawes, from
which they had declinid. So that after 2000.
and almost 300. yeres, the lawes of Moses
were published on Synai, taxed with peines
and greeuous charges, to quicken and releeue
the auntient freedome of nature agayne. For
all that were of Noes kinred, shortly after
the Patriarches were dead, fell wickedly to
lyke vngratiousnesse as before the floud. And
then God chose out of all a fewe, by the name
of Israell, to be nominated his chosen peo-
ple, to be his and no Kings else, to inhabit
an holy land, and to begin a common weale.

Morall lawes In accomplishing whereof, besydes the mo-
Ceremonies. rcall lawes of tenne commaundements; and

Judicall
lawes.

Moses did promulgat many other popular
and iudicall statutes of naturall policies.
For to execute the same, he ordyned officers
and magistrates to heare and determine cau-
ses, after the best intent of their positive lawes,
whiche in the most perfitt manner that natu-
rall equitye coulde imagine, were set forth
to abide in stable constance, and subiect to
no manner chaunge or transmutation, by
whiche every trespass had suche temporall
punishmente as the nature of sache offence
most

most reasonably deserved. For wilfull murder wilfull mur-
der was punished by death: if it were not der.
preteneed and by assalt made, it was punisched
gued with þ sanctuarie. To steale away a man Manslaugh-
to make him a bondman and villaine: the Steling men
master murdering his servant by unmeasur- away.
able corruption: Idolatrie, witchcraft, bug-
gerie, adulterie, incest, rape, coniuters, sooth-
sayers and blasphemers, all deserved death.
If any woman with childe by any wilfull
person was misaduentured, the partie offend-
ing was fared life for life, member for mem-
ber. If any madde beast, of knownen mad-
nesse killed a man, the owner was guiltie of
the deathe. Generally the trespasses of all
manner qualites were by lawes amendable,
and by peynes to be reformed. If any mannes Trespasses.
beast perished in the unknowen danger of
an others grounde, bee payed for it. If
two beastes syghting one killed the other,
the losse was equally deuided, and where
the moste faulfe appeared, the offence was
more greeuouslye adiudged. If any
manne were damaged by hys neygh-
bour Cattell, or by negligence of any
syre, and suche lyke, bee was to haue
satissacion. For all manner thefste was

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suche hurtfull constitution made, and severall amercementes
 beth? Many maner borrowed or byred for beh
 al of thy neighbour to serue his furtie, and
 from whence & farrre were indamaged, he may be thakened
 mendes by mōr reasonable autes and poun
 othes. Many lawes were committuted ag
 aynt oppression, extortion, bryberie, fal
 wernes bearing, and suche lyke. But
 they consented in all, with that fellonable
 law of nature, willing every man to do, as
 he wold, as done by. To conclude, God
 further promisid, that the obseruation of all
 lawes shoulde make their commonweale to
 prosper in a lande; that the lewdes of nati
 ons deserved to be expulsid out. That much
 I have recited of Moyses lawes, and am com
 get heretin, than that of nations, as I say for
 synde, howe godly princes haue grounded
 all godly lawes betowen, to make Israel the
 president of all common wealths and go
 uernemente. In whiche I aunswere brief
 ly, that some perhappes may object against
 the wholsome constitutions of many prin
 ciples lawes.

The obiecti
 on of some,
 for the muta
 bilitie of Mo
 - the wholsome constitutions of many prin
 ciples lawes.
 ces, whose lawes may seeme to be disvalued,
 bycause they impugne some wayes the judici
 al lawes of Moses, as though the same were
 absolutely to bee transferred to all people,
 without

without change or new additione but so hath
not God commaunded: for they were to con-
serue peace among that people ; & to reclaine
hem to rightousnes of nature, without any
figuratiue comparison with the state of chri-
stianitie : neyther were they to bee abrogated
and repelled as the ceremonial lawes, nor yet
so to binde, but that every people may use the
with godly discretion , and yet chaunge all
that is to be chaunged for preseruation of chri-
sten policies . For as tymes and people are
chaunged, so they minister occasions eftsonys
of change, in ciuil causes . But now to other
speciall nations, howe lawes and kingdomes
began among them, & of certen peculiar kinds
of regiment in the same .

CHAP. 3.

Of diuers nations, beginning of kingdomes .

Cities and common weales : and sundry
kindes of regiment .

In the last chapter is shewed of the lawe
of nature, of the lawes of nations, & the
ciuil lawe, howe they are defined . The synt
was naturally engraffed from the beginnynge :

D.b.

the

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All people
are one.

the second tooke name of man, & being foun-
ded on nature, is common to all men: The
third so some certain people only is appropria-
ted & peculiar. To þ first may none disclaime,
or pleade ignorance: as touchyng the other,
nowe followeth to shewe the begynning of
all Nations, and the distincte beeing of cer-
taine people. For during that first age of A-
dam's posterite, to the great deluge, by space
almoſte of. 1700. yeares, all people were one,
of one countrey and one language, dwelling
fyſte in Tentes, afterwarde buylding hou-
ſes, and beginning Cities: devising also sun-
drye craftes and occupations, to manyre and
occupie the common weale, as wee reade of
Cayn and his offspring in many generations.
And so likewise after the floud, the people con-
tinued one, till the great confusione of Babell,
where Nimrod firſte beganne his soueraigne
rule and dominion to be Emperour of al the
people. At whiche fyme God denied they
speches, that one coulde not understande an
others tong through disagreeing of their lan-
guage. By whiche occation, of one people
were made manie, by meanes that the poſte-
rities of Noes sonnes wer diſpersed into sun-
drye coaſtes and Regions: For when ong
coulde

coulde not vnderstande an others language. Beginning it came to passe, that every man departed in- of nations. to strange places, naming the countreys that they did inhabite, and the Cities of their newe buildyng, after their owne names. Of Sem came the Syrians, Assyrians, Chaldees, and Persians. Of Cham, the Chananites, Aegyp- tians, Moores, and Arabians. Of Iaphet, all that dwel Westwarde and Northwarde, Greekes, Latines, and others. So that howe soever they liued at fisste, lyke wylde beastes in caues and wyldernesse, feeding on rootes and herbes: after they once felt the comoditie of close dwelling by making cotages of bougbs and trees, and digging caues in the moutains, experiecc at last made them so skilful in building, þ most artificially they set vp houses of habitacion and necessary dweling. By whiche means somewhat reclaimed of their uplādish behauior, they begā to gather substance & goodes to relieue & profit thē & their families. And by exāple of Nimrod, they were cōtēt every where to subiect themselves to kings & princes, & so wared civil at last: perceyning also þ mighty & strog mē did practise invasions to rob & spople thē, being also diversly annoyed by sanguine & rurall beastes, they vsed societies, and

Of king= domes.

Of cities.

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and enfranchised themselves to familiar be-
ing, without one circuite and compasse, more
safelie fensed & walled about for best defence,
which they named townes and Cities: of such
kingdomes were many, as many as were
nations of people, from the great confusion of
Babel, more and more increasing: of such Ci-
ties, were many in every kingdom, as welch
and abundance of the countrey multipli-
ed, as urgent necessitie & desired hope of safe-
tie required: only the people of Iewes of long
time had no King, but were governed by
Judges and Commissioners specially elected
to minister justice and preserue peace, because
God had chosen them out of all nations, to
be his people, and he to be their God, til their
madnes required by example of the nations
aboute, to haue a King as the nations had:
wherwith God being displeased (not so that
the authoritie of Kings was unlawfull, but
to reprove their infidelitie and distrust in his
louing goodness) he appointed Saul to be their
King, as it was desired. And then were all
people ruled by Kings, and one King of all,
was the monarch of all the world, as the em-
pire first began in Babilon and Assiria, next to
the Persians, then to the Greckes, and last of
all

Iewes a
Kingdome.

One empire
of all the
world.

all to the Romans, it was translated . Also
vnder every King , the Cities were divers
wise franchised with privalges and immuni-
ties of many kindes. So that hereby appereth
how firste every realme and then every Cittie,
had peculiare regiments and also their proper
lawes, all agreeing first on the law of nature
and common lawes of all nations, and secon-
darilie byng the lawes of one an other, amen-
ding what was thought amysse , and inuen-
ting new, as occasion serued. But as touching
regiment more especially , as the people then
began to know ciuitie & embrace freedome:
to shrowle after, the many defaltes in Princes
and Magistrates, caused restsones many muti-
lations and thaunges in the common weale.
For ambition, anartice and crueltie, made ma-
ny to practise extortiōn, oppression and tiran-
nie over the common people. So that many
were weary and refused all maner regiment
and subiection : and among the learned were
stirred great contentions & quarrelling, dis-
pensations of y^e best state & conditiōn of y^e co-
mū weale: of which were sundry kindes pro-
poned in their scholes, and by manly argumēts
cōtentiously disputed. As chiefly out of Plato Monarchia.
may be noted, Monarchia, aristocratis & De-
mocratia,

Privilaged
places.

Three kinds
of regiment.

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Mornarchia.

Hom. in
Iap. 2.

Aristocracia.

tricratia, that so many resolued of. Monarchia
is þ state of empire and rule where one onely
ruleth as most loyal prince and gouernor and
no more. Of which many resonys wer made,
and those most chiefly on nature founded, that
as God is one, who ruleth al, & all obey him:
as God hath created one chefest light, þ sunne
to be maister of the day, & the moone at night,
whose brightnesse doth shadow the rest of all
the startes: As in brute beastes one is principal
of al: as amog the little Bees, one leadeth the
whole swarne, on whom þ residue do attend,
at þ outgoing & comming in, not presuming
once to dare stray, if they be not chased from
their king: as in great beastes domeslike or
fame & wilde, one leadeth þ way, one guideth
al the flock, one is briweather & herdmā to the
rest: As among þ Cranes, one flyeth before, &
one watcheth in danger for al þ company: so it
is expedient, þ man shoulde bee conformed to
nature also, that one bee chosen prince & ruler
over al, and most especially, since (as Homer
sayeth) it is dangerous where þ authoritie of
many is intermedled without any principall
and chief. The second, that is Aristocracia, the
soucraine rule, not of one, but many, and that
of the best sort and condition, as we may say,

of

of the peers and nobles, is thought to be most necessarie of all such, as imagine nothing well done, that cometh vnder name of one, because say they, many wits will easly find þ, wherein one may be deceived: & in no one man are all good qualities, though among many not one perhaps is lacking. In the. iii. that is De- Democratia.
mocratia, or popular reginent, where neither prince alone, nor nobles only shal rule, but þ common people strike the stroke together, some treason is made, that all men will be one for other in common, when none is to bee charged or preferred above þ rest, attuding also to the common prouerbe, Vox populi, vox Dei: that which al agree vpon, is no doubt þ speeche of God: but contrary to that of another, Vulgus est bestia multorum capitum, The bulgar soft is a beast with many heads. The last was vsed a= Polyd. inuen.
mong the Hebrews & Atheniens, as Plinit did lib. 1.
attribute the iunietion therof to Athens, albeit they had also kinges sometime, as of Cecrops in Moses time: the seconde was the policie of Rome, devised of the Thebanes: But of the first, wisth Justice: Curytie and Ra- Iust. lib. x.
sion: hadde at the begynnyngis Byng for their chifforuler and Mourtours whiche at-
sayned to that dignitie by no ambition or
fauour,

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fauour, but by a singulat wise and sober man
desirer and raigned with such lawfull loyalty
that he seemede only in title a King, in deede
subject. But as Nirus King of Assirians, and
after him many els, began to bosome through
ambition and tyranie, so long as their will
was lawe, and themselves were lawes: it so
troubled the people, that they were verye of
Kings, and toke countell of other forme of
regiment: But to omit the banke question

Monarchie hereof, it is most reasonablie of all concluded,
chiefest & best for manye politike and godly reasons, that no
State is to be compared to the royall sceptre of
a King, garded with godly & holysoule lawes,
for the stathie of such, as perhapses blin-
ded with affection, might swaine from thence
sometime, if lawes serued not. The famelie
alteration of **Cittie of Rome**, that for ciuil policies,
gouvernement
in Rome.

Kinges.

Cittie of Rome, that for ciuil policies,
all the world most renowned, made prouesse
all degrees. For in þ beginning it had Kings,
as Romulus the first of all built the saide, and
raigned there, and after him for space
of 244. yeares: About whiche time Tarquinis
being banished; for the notable crime of Rape
of Lucretia commited by his sonnes, the name
of King endured no longer, but was remov-
ed to that secret manner of regimenter of
nobles

nobles & ancient peers of Rome. For the
whole jurisdiction was in the senators or Tri-
bunes, which were an hundred in number,
who also had two yearly Consuls, so called Consuls.
of consultation & provision p they made for
common weale. To whom also was affec-
ward joined in certe names, an office of most
dignitie for the time. And p was p Dicotor. Dicotor.
a magistrate of honour not of course, but by lot
might say a. And great master, whose office
was so highe as continued by the law, but
monethes, and so as muche lefft, but in most
waighthe cases to deare the patene hath con-
sules, for habay were of equall authority dur-
ing whole time all magistrates, saving only
Tribunus. This galds my shir charge. But in
meanwhile, by the dayly sedition, pania-
mutinie and conspiracie of the common soal,
began that disagreed, and aboutly govern-
ment of Democracia, by the bulgar people
and base commoners. For when the nobel-
tie enternarieid with the noble blonde, ambis-
tion stirred them to desire after honour, and
the tribunes or prouosts of the people, at their
earnest suite, caused the highe personages to
be permitted to inferior persons, by whiche
occasion all was almost ou bypass, & anhort-

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Sylla.

tie began to be defaced and adnulled to all licentious libertie of the meanest sorte : but till Sylla being chosen Dictator, and at his due syne refusing to yelde vp his office again, bsurfing the same perpetuall for 120. yeres, and never willing to resigne till he laye sicke on his death bed. The Monarchie was by him renewed againe, and afterwarde likewise con-

Iul. Cæsar. tained by Julius Cæsar to his lynes ende. The state of Rome was reduced to that principall for euer since that Romulus did begin, of whiche Julius the Emperors wote the name of Cæsar, to this day. As for that most perni-

**The regi-
ment of A-
thens.**
cious state of Democracia, of equall authori-
tie in al degrees of persons, may the city of A-
thens be a lively witnessse, which at the first
being ruled therby, til they felt the torment of
the thicke tyrants, and afterward being con-
quered of Philip, and holden hard in subiectio-
n by Alexander and Antipater, neuertheles were
yet relieved so that terrible bondage at last a-
gaine. And then, as verie well they might be
termed the monstrous beast of many heades,
they did all things so headily, without coun-
sell, good advise, or reasonable discretion, in
theyr furious outrage and follies, that most
wrongfully they did to deathe, and by most

gru

grieuous tormentes, manye mosse innocent persons, high Clerks and noble Counsellors, as Socrates, Solon, Aristides, Phocion, rare myrours of god councell, and other mosse worthye and peerelesse Senators, by inuention of false surmises and hatefull charges of contruthe, to condemne their good deserts to the lasse decaye of Common wale. And this was euer the ende of lyke regiment in other cities: yea, that rule of the honorable and auncient nobles, without a certayne and vn-doubted Prince, deserueth no greater comendation but dispayse. For what perillous commotions, and vpprores vexed the Cittie of Rome, as long as the onely Counsell of Aldermenre governed, as in Venice at thyg daye? The manye alterations and sedayne chaunges, the ambitions affecting of offises and authoritie, the vnbrioled youth of Catiline and his complices, the most pestilent ci-vile warres of Marius and Sylla, and of Cæsar and Pompeye, to the greate effusyon of much bloud, and bitter extermision of many noble familiess of Romans, most lamentably was proued in many bloudy bataills. Again, what mischeuous daunger did ensue the suffrage & tolerating of þ rude comons to ouer-

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Pompey.

rule the wise magistrates, by intruding the
selues among, as at sundry times many made
thall, so Pompey chiefly felt, for condiscen-
ding and subscribing his councell therewerto.
For where in Rome, the tribunes were to in-
tercede betweene the Senate and people, in
all lawes to bee enacted, without whose
generall consent, if but one tribune deny-
ed his voyce, nothing passed: and for cer-
tain mischiefs that grewe therof, the same au-
thorite by Sylla was abrogate and quelled
chiefelie for that the tribunes practised com-
monly to incense and infeste the common
against the nobles, by the only studye of
quarrelling alterations to make doubt
and ambiguities, and to crosse and gain-
saie all good councelles, in all that they
mighthe, as commonlie vilest persons, la-
bour to procure and doe: Pompey at last
to win fauour of the people, and to gaine
name among them, restored the libertyes of
tribune againe, to his bitter vndoing & confu-
sion. For through their wonted practise & to
meritie, were the mortal warres of Cæsar and
Pompey proclaimed, to the last destruction of
valiant & wise Pompey. This haue I shewen
to proue that lawfull principalitie of our

heade and governour, is most of all agreeing
to the safetie of the common weale. But that
other pointe of lawes, and necessarie preserva-

A King
must rule
by lawe.

tion of statutes, to garde the same with equi-
tie & justice, against licentious rule, as I sayd
also, must be used. For if Princes rule not by
lawes, but at libertie, if they bee not theselues
subjecte to lawes, but altogether lawlesse, if
wilfull will should stand for unwritten law:
then might authoritie be doubted lawfull, all
government would bee uncerterne, and justice
should bee wrested to maintaine wronge in
steade of right and equitie. Of which said Ti-
tus Livius in his histories of Rome: The rule
and plaine constitution of positive lawes, is
of more validite & might to enforce the peo-
ple, thā all the power of strong & politike me.

Liv. dec. x.
lib. 2.

And Antigonus the king, to a flattering cour- Antigonus
ier that would attribute to princes two di-
finkt powers, one ordinarie, þ other absolute:
the first to execute lawes, the second to make
lawe of lust, answered trulie, saying: A King
 hath not the rule of lawe, but is the only mi-
ster and nothing els: meaning þ no Prince
might other wise presume to governe, but as
the lawes of the countrey should direct his
office and function. As touching which ne-

E. iij.

cessitie

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12.tables
in Rome.

Appius.

The dan-
ger of ces-
sing the
lawes.

cessitie of lawes, wee neede to remember no more than what is written of the greevous oppressions and wrong doings in Rome for 300. yeares space after the citie was buylded, till the lawes of twelve tables were set out of Greece, and that thorough falle iudgements and corrupt subornations, by reason that they had no written lawe, and fewe understood what Lawe or Justice was. Neverthelesse it can not bee denied but lawes oftentimes are wrested, more to maynsteyne wrong, than if no lawes were at all, as that towle abuse of Appius, one of the Decemviri in Rome, challengyng the boudage of Virginius daughter, to the intente to rauish the young mayden, well declared. And yet Lawes therefore deserue not the slauder but such as wickedly abuse them to their wicked purpose and slanderous meaning.

But contrarywyse, what myserie and mischiefe hath folowed, where lawes are not accordingly executed and vsed, I neede report no more than the sequelle of that in Rome in Sulpicius tyme, when order was taken in the Senate, to cease the ministratiōn of lawe for certain days, to pacify and quiet the outrageous murmuring and grudges of the people.

fol

for the oportunitie therof was fitly taken, to
serve the bold enterprise & desperate designes of
cruel Sulpitius, inteding in that time of peace,
to establish his owne most cruel & wicked law-
res, in which meane time of vacation, with
all manner tirannie, he and his adherents com-
mitted murther on the Consul & his son, and
many other in the Collibar of Rome, In con-
clusion then, that realm or common wealemost
of all shall flourish, where god lawes under a
virtuous prince be duly ministered, & noe man
can endure: god lawes that honestie may be
defended, vice and naughtinesse sharply puni-
shed, a virtuous prince to order all authoritie
with righteousness, that judges & ministers of
law be not merchants to buy and sell y same,
but y e qualitie of lawes be iustly executed to
al degrees. I might rember here divers kin-
des of laws of many countreis, & y divers form
of administration of lawes also, which would
be tedious, & more pertaineth to peculiar peo-
ple than to other strangers: Only I note the
most laudable lawes of Rome, & somewhat of
the most worthy lawes of our English natiō.
to begin y commandable corporation of cities
withal. Which Romane lawes first began by C*Civil lawe*
Cn.Pompeius, & beginning to be registered by of Rome.

E.iiij.

Caius

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Caius Cesar, had but their troubles of wars
and busynesse intercepted by sainte re-
nowned by Constantinus again, halfe perfected
by Theodosius, which was fully finished by
Justinianus by force and more after Christ,
being now called the vniuersall lawes, were re-
devised and altered lateliste of all christen-
dom, amonge the whiche peculiare statutes
had iusticemates of every people. But as for
the makinge of the lawes, I know no com-
mon paragon, whereto may be sayd attempt for the
Lawes of Englande. Most it is done antiquarie of the same, which I
knowe yet so much to be asked, as the greate
equitie, easone and reasonable groundes ther-
of doe make the practice storne and inviolable,
and the greate vertute, goodness, and goodi spe-
ciall example of the coniunction. How-
beit we finde, that when Troy was destroyed,
any Bruse of the stocke of Aeneas came out
of Itali into this lande, he planted the Trojan
lawes, that naturally he learned of his an-
cestors throughout his realme and dominia-
on. We reade also in histories, that in the
greate Britton it haue suffered to haue hapened
in Myg Realme, as also that the stocke of
Bruse was extinguisched, the lawes be-
gan to fayle, and by Mithracius were
revived

Troyan
lawes.

revised and amended with many good and
wholt some lawes, as the time required, called ^{Malmutius}
Malmucius lawes. Unto whiche also one
Martia a Duxine of this land certayn yeeres
after, of excellente knowledgē and learning,
added the decrees of hir time, and were calld
^{Martian} Martian lawes. Besydes the selike wise, about
þ time that Iulius Cæsar came first into Eng-
lande, King Laid is remembred to bē stoue
greate wisedome and paynes for amending
the lawes of hys ancestors In so much that ^{The peace}
our englyssh lawes so farre preuyaled to per-
fection at last, that in King Edwines time, ^{in King Edwines time}
Amo Do: 614, such was the peace and tran-
quilitie, in somuche as he gouerned that a
weake woman myght haue walked with hir
infant babe about this Iland from sea to sea
without any damage or danger. And where
he fastened byroue cappes to the cleere welles
that did spring by þe high way sides, to re-
freshe the thirsty bodys of poore wayfaring
men, soch was þe loyall feare and obediencie
of þe lawes, that none durst touch to steale them,
or to further þe þan present necessitie requi-
red. Such was tranquilitie and peace in E. ^{The peace}
þe lwlphus time, about the same yeeres, by ^{in Ethelw.}
reason of the straignt lawes that he devised, for time.

E. v.

extirpa-

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extirpation of theft and robbers, that in every turning or crosse way, he made be set up a golden bryche throughout the Realme, and none to be so hardy by day or night to take it downe. But of all the Kings that were before the conquest, Saint Edward the confessor most of all deserued prayse, for his vigilat and carefull endeouours in repugning the olde and corrupt lawes of all his progenitors, of whiche he selected and picked out like a godly Common laws of S. Prince, so many as were profitable and most Edward. needefull for his commons, to be therfore called by the name of common lawes. Of whiche how many are at this day, I leau to the Alteratiōs learned. For after the Normans had conque- at the con- red the lande, all was chaunged, and nothyng almost suffered that was antient, as the pro- verbe is when came newe Lordes, and made newe lawes, not in Englishe, but in theyre owne tongue, as a people aboue all other giuen to cavelling and double meaning, that they mighte thereby more safely wist the lawes as pleased them to all constructions, among the Brytons that understood not the Normans language. For so sayth Polidorus, where he noteth, howe the Normans confes- sed their newe lawes to be vnjust and intol- lerable,

lerable, in that VVilliam Rufus and Henry the firsste his sonne, and also Stephen, at theyz coronation, to winne the peoples faouure, woulde tuer promise to give them better lawes than their olde countrey customes were, and to restore them agayne to Sainte Edwardes lawes, of whose antiquity, the same Polidorus also sayeth, aunswering all them that contende the best parte of our lawes to haue proceeded from the auctiente rulers of this Realme, long before the conquest, and reasoning of the manner of tryall by twelve menz othes, where he sayeth, *Inuenio quodam libello Aluredi. &c.* I finde in a certayn Booke of the lawes of king Alured, that out of an hundred elected and chosen men, they vsed to appoynte tenne for Justices, to heare and determine dammages and controuersies as occasion serued: but as for greater crimes of life and deathe, they were referred before the hygher Judges and Elders. By whiche he concluded, that the manner of execution of lawes at this day was altered and changed since, as appeareth also by many prouisions and circumstaunces of oure Statute lawes, refourming, amendyng, and makynge newe from tyme to tyme, as necessarie or best

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The exec= best occasion required. But to be short, howe
ding good= muche so eure remayneth of those common
nes of eng= lawes, what euer was altered, adnulled or
kis lawes.

augmented of the auenciente customes of our
country, it is most playne and evident in these
dayes, no nation or people of the world enjoy
the lyke priuslege of peace and quietnesse, and
all manner saftie by their popular lawes, as
this noble Iland from time to time is posses-
sed of by lawfull regiment of noble princes,
by prouision of sundry lawes and statutes.

The ma-
king of
lawes.

For enacting whereof, what moare lawfull or
landable order could be wished, than the tri-
ple regiment afore spoken of, that is the free
consent and agreement of all three, the prince
of all, the nobles and uniuersall commons,
in common parliament and connel togyther
assembled? For iust execution whereof, what
moare tender care can be vsed, than to commit
the charge of iustice to the honorable, to the
best learned and expert, to such as are of god-
daine and approued honestie? who cannot be
allured iettaynely of iustice and right, when
both prince and magistrate haue gauen they
sayd and promisid godly and truely, to de-
fend, vsd and execute the same? so that briefly
not the least trespass, or wilismeanyor, in any
degree

The execu-
tion of
lawes.

degree is tollerable, not the simplest person of all is barred of righte, but that wholesome lawes shall correct all offenders, and every man shall receyue justice, without respect or partialitie. By force of which most reasonable lawes and lawfull gouernmente, the people being vested with more humanitie and ciuill behaviour, the other of elder time haue at last offred themselves to bondes of lawe and straight customes, to be ruled willingly with private lawes, besides the generall charge, that uniuersally they stande obstrict unto, whereby they haue obtained to be enfranchised and privileged, with divers immunitiess and freedoms in cities and townes, to be bodies politike and incorporate of themselves, to all manner godly exercise, whiche if wee shall yet compare with that of elder time, The trou-
bles of old
time for
want of
lawes. who doubteth, but mooste wholesome lawes haue reformed our age aboue others, to commendable tranquilitie and vertuous maners? which in those unhappy times past I see not how their lewdnesse could haue bin redressed, so long, as outragious crueltie and beastly madnesse of infidelitie vexed the whole Realme, and also made open dangers to the perillous inuasions of strange enemies. For when

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Civil dis-
sentions.

De bello
gall.lib.5.

Tribute of the Ro-
manes.

Invasi-
ons of the
Scottes.

Oppressi-
on of Sax-
ons.

whē Brutus stocke, endurinc not abone 600. peers, through mortall hatred of two brethen Ferrex and Porrex, to bitter extermination of them both, one slayne in battell, the other murthered of his mother, was extinct, most miserably deuided for lacke of one lawfull prince and gouernour, the realme was 51. peers in trouble, by syue Kings at once. In which miserable times the manners of þ people were so odious, that Iulius Cæsar wrycteth, when he entred the lande: Tenne or twelue men togither vsed their wifes in common, and most of all brother with brother, and father with sonne: and as another sayth, eatyng most unnaturally the flesh of one another for

besydes whiche civill bate of many Kings, began then the tribute of the Romanes also to vexe them exceedingly, as also the terrible and fearefull innasions of the Pictes out of Scythia, and the Pictes and Scottes togither, tormenting them on every syde, in so muche as at last they were so greatly wasted, that fayne they were to pray ayde of the Saxonis, to defende theyz country, whyche turned agayne to theyz last confusson. For having ouercharged theyz power with hostilitie of these Saxonis, in shorte tyme

time the miserable Brytons were compelled to leave all unto them, and to possesse the least part, that was Wales, them selues. And yet coulde the Saxonis neyther be at rest, but by diuisio were disquieted, so that of one Realme was made sixe Kingdomes, and xiii. kings raigned together, before the governement ^{Intrusion} was reduced to one Monarchie agayne. And of Danes.] then began suche troubles of the Danes, still intruding to infest the Saxonis, that they were never quieted, till the land was charged with most greevous and intollerable tribute, as before the Romanes had vexed them withall. And last of all, the Normans invading this Realme, conquering and subduing all partes of the countrey, so that none possessed safetie, but all were greeued with the enemis force, and none coulde bee relieved with theyz countrey lawes, but all were sacked, and became the spoyle of straungers.

Conquest
of Nor-
mans.

Howe coulde it bee, that in all these troublsome tymes, civilitic and lawfull regimente, the loue of lawes, and exercise of justice, or commendable policies and care of common Weale, coulde bee firmlye grounded, and substancially concluded in this

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Bondage.

Douayrie D
1582. 10.
APRIL.

this realme? And therefore most incompara-
ble and worthy administration, above all
things, are the iust observations of inviolable
laws at this day, and so rooted in the very
nature of our englyssh nation, that very zeale
of undoubted and approued godnesse there-
of is most sufficente to condenme the com-
tempt of lawes, and able to abridge the ma-
lice of all, that wilfully wold intende to stirre
tranquillitie and peace on syghte. Here might
I also take occasion to note the seruitude and
bondage of old time; what miserie they lived
in, what wronges and plagues regardynge,
men and all thingis as the full band comman-
dement of other men, of whiche almost all
conquered ded at the conquest; as the primitive
of bloudyng stale I relate. But I knowe no
more of thid than what experiance teacheth,
howe farre they were from that libertie, peace
and quietnesse that they nowe enjoy. Whiche
kynde of hopelesse miserie, howe it began and
whence it proceeded, whether it crept in from
the nations of Lacedemons, or else more truly
of Chanaans posteritie, (the Hebrewes) I
stand not to recite but sure it is, that people li-
ned therein, more beastly in despaire, than re-
garding honestie or vertue; so hopelesse of

man-

mammonis and libertie, that almost they gra-
med gouernour, and of vngifted condicione
whose neckes Princes and noble men layde
such greuous taxes and intollerable distres-
ses, for the building and maintenance of theyr
Castles and strong holdes, on which they did
trust and depende, more than on politike
lawes and lawfull governmente, that the
whole welthe of the land was in fewe handes
the Prince, and all other mighte labour & tra-
uell to servall them that used violence and ex-
tremis wyong. But of that which is so com-
monly knownen, and by the vaine of so many
Castles, for hard places, bulwarke and
sences almost at every haire ende for some
olde time to bee seene and regard, amonge the
authentike registers of the histories and coro-
naries to freshe in memorie: I will not be re-
vions. Wherefore nowe as I promised before
that I haue briefly noted so muche of the
gliming lawes, kingdomes, common-
weales, & cities, as the same belongeth to the
high eadge of kings and kynglike iudges, I
will ouer breake declare the corporation of
well governed Cittie or towne, as they are to
be ruled by private lawes and interiour ma-
gistrate, and as they are from the rulliche

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and wanerred sofe sequestred and deuided,
to be a body politike and ciuill in them-
selves.

CHAP. 4.

Of the beginning of ciuill townes incorpo-
rated vnto lawes for vertuous life and com-
mon weale.



The common
weale.

A Cittie.

Sit was first shewed, what
mappes vertue doth suffer
without redresse of lawes, so
it were not here amiss to
begin the state of ciuill life
with a morall description of
the aires of vertuous living, sauing that com-
mon weale must also bee defined, for whiche
people are gathered, the rather to incorporate
them selues with policies. The common
weale therefore, is the riches, the goodes and
comuerall wealth of one people : the institu-
tion that is common to all them whiche are
governed by one course of lawe and privilege,
or more specially, so as many as liue together
in one towne or cittie, which is defined, A mu-
titude or body politike, enuring a ciuil, man-
nerly

nerly and honest life, as sayth Cicero: where magistrates do rule, the sevate or elders gyue councell, the people use their freedome of con- sente, and justice of lawe doeth order all other
greces of which sayth Aristotle, *Civitas est societas quaedam, ex pluribus pugis propagata perfectaque.* A citie or towne is that kynde of ci- vill societie or fellowship, whiche of many vil- lages (or as we may say) of diuers mens buil- dings and femeholdes next joyned togither, at length is encrasched and made perfect, so as above custome and lawe, and to be a com- mune weale in them selues. Which manner of So- ciety was not begun among man, but to good ende and purpose, which god erde all shinges (sayth the Philosopher) in their nature doth Aristot. eth. 2. marketh unto vs. Also it was concluded gen. 2 from þ beginning, wher it was said, It is noȝt good that man shuld be alone. Which albeit þ Gen. 2. same general inclining of nature worketh in all creatures, by familiar being of male & fe- male togidher: yett to me it is peculiarly approp- priate by þ deuine qualities of speech & reason, which Cicero counteth to be þ firme bands of al societie. For in þytle beastys þare barred both speech & reason, though nature hath framed þe to desyre one another for generation sake yet

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Beginning
of Cities.

the same privatice no longer endureth, than the tendernesse of the yong awayteth to be factored of the damois; of all whiche the charge also belongeth to the fem onely, as if the male had no care at al. But in man the same is dauering endlesse, with such solicitude and pining carefulnesse, that nothing can breede oblivion or securitie: both Parents are so moued with their children, that unnes their labours are never tedious, if it were to be busied for they be woxe, all while that life lasteth. Through which earnest affection it came to passe, when one house could not include many families of one stocke and kinred, and that the blood shoulde not bee estrangid in alien wilderneſſe, divers houses began neigborhood in certayne places, and many villages of dweling stode planted all aboute, whiche at length policies haue brought to be townes and Cities, by uniting many foynes togithē. For when experiance had once proued what detryment such being might be against the daunger of wilde bralles, and invasions of hostilitie, and also what happiness of friendshyppe might growe therout, by conference of people togither: then did the most tractable towne of the same unperfet felawships change their wil-

wildernesse of habitation at last, to dwelle together in townes and cities, whiche they also walled and fensed as they were able, and danger required. And of them began al ciuitie, knowledge and cunning to be practised, by conferring their inventions togither, being as it were made one body of many people, and one giving aduise unto an other, and all ioyning their conference togither. By whose example the rurall sort at length that liued in caues and mountaynes boyde of all humanitie, began to be reclaymed of their brutish manners, and to franchise themselves also togither, to ioyn their welth and commodities in common with them of the townes and cities : so that the common weale stood then of three sortes of people in one body ioyned, that was, craftesmen, husbandmen , and lance-knightes, as some authours fearme them . Of craftes men, were all occupations devised, all marchandise and trafficke of byring and sellling one commoditie for another, so long as no maner of coine was vsed. The husbandmen manured the earth, to yeeld hir encrease. The other were to defend tranquilitie, and to resist wrongs and iuriies, as the Romane Souldiers and Greekes were afterward.

F.iii.

Through

The partes
of common
weale.
Craftes men.
Husbandme.
Souldiers.

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Cities the
chiefest pla-
ces of the
land.

Babylon.

Thebes.

Citti's fran-
chised.

Through which vse of policies, nation at last began to traffike with nation, and the abundance of one thing, every where supplied the want of another, and the common weale flourished in civill behaviour, riches and honour: but especially townes and cities became the imperiall sees of all the dition and territories in the land, still encreasing in wealth and people, as the hugeness of many renowned places might declare. As of Babylon 385. furlongs about the walles of. 50. cubites high, and. 50. foyre broade. As of Thebes in Egypt, most sumptuously builded with 100. great gates, most curiously wrought: and Troy that in ten yeres space could not be subdued of all Greece, Athens, Carthage, Corinth, Constantinople, Rome the Empresse and conquerour of all the world, and many other like. Then also began the princes to make them privileged places, with many freedoms and franchises that the uplandish rustickes might not haue, whose exercise of humanitie and commendable government, concluding all equitie, justice and wholesome policies, was honored in many writings, to the good example of all posteritie. As that of Xenophon, so extolling the Persian lawes, that he witnesseth, their citizens from

their

their very childhood, are learned to attempt to imagine nothing dishonest or unlawful. To which end and purpose, the laws of all common weales are enacted, even to execute and ^{Laws of} Cities, embrace justice and vertue, and that is firmly prescribing office and dutie to all degrees. Which therefore by seuerall of lawe must be enured (as is shewed in the first Chapter) because the good admonitions of vertue alone are neglected. As Aristotle, in the end of his ^{Aristotle} moral books, arguing certaine opinions; ethic. 10. what most of all may fashion an honest ciuill life, in that, that some of nature are thereto inclined: some are framed by custome and good usage: and others by doctrine and precepts, he concludeth at last of custome & use of lawes in this *Wise & plerique vi potius quam
an ratione: & pena, magis quam honestate ad os-
ficium impelluntur: many are vrged to folowe
that dutie, rather by the vttermost of extremities
than by any reason or counsell, and more for
fear of punishment, than for loue of honestie:
and therfore he consenteth with the prudente
lawmakers, that some are to be exhorted with
gentlenesse, and those are the good men who
are to bee compelled with sharp punish-
ment, and that is the wilfull sort of people,
f. iiiij. but*

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but not altogether of the worst. The rest that
of malice and froward contempt will not be
chaffised and amended, to be utterly discon-
nected, exiled, and cut off from a common
weale. It followeth then for these causes, that
equalitie, and one degree of indifference, of
all persons alike without exception, is as in-
tolerable to a common weale, as one man
for one governement, and equalitie of ad-
ministration of lawes, is necessarie for both shal-
lawes be executed, if none will obey, or else
all would be governors without difference.
In these lawfull regiments therefore, and
publike administration of lawes, for civilities
sake, the whole body of every citie, common
weale and fellowship of people, is of two con-
ditions, but of one only substance, the fewest
must governe, the most of all shoulde obey,
and all to practise an undevideid common
weale. The magistratis are officers to sup-
presse vice, the commons must allowe of ma-
gistrates for vertues sake: the one is the head,
the other the body: one cannot be without the
other: if they joyne in one, they supporte each
others being. The same kinde of people; as ho-
dy politike therefore resemblith a naturall
body, in that the like necessarie of partes may
most

Degrees of
people.

most aptly be compated. For if þ members & partes of man shoulde conclude to denie the bely sustenance, as being grieved therewith, what would become of the same, but one destrucion of all togideth? or if the partes shoulde refuse to be nourished with that which þ bely & inwardes digesteth, what woulde they but wither and die vnto naught? so in gouernemente, if the common sorte, whiche are the greatest partie, shoulde conspire agaynst the magistrates, or be envious, malicious or repining against the regimenter that lawes have ordyned, and without governours cannot be executed, what is more lyke, than disperagement of common weale, through enormous vices, that awaite the fall of gouernemente? but before I note those severall charges of both degrees, there is somewhat that toucheth generally the case of both, that principally all must apply vnto, as in the nexte Chapter.

CHAP. 5.

Of the firste and principall proceedings in all degrees: religious pietie, and cure of common weale.

ff.v.

Besides

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Prides the necessarie of lawes
to exercise obedience, and the
execution thereof to magis-
trates belonging, are firsle of
all to be planted in both con-
ditions, godly religion, and weale publike.
To begin the shafe of all god government: of
which religion, sayeth Cicero, It is a tradition
that teacheth in most reverent and comely
manner, to exercise the ceremonies of diuine
worship. *as ordres define it: A kind of god-*
ly discipline, to be vsed in outward sanctimo-
nic, resembling as it were by signes, most holy
and spirituall things, by whiche God is hono-
red, and all men confesse his prouidence: the
only motions wherof are the most speciall
garde of a flourishing common weale, of
whiche sayth Aristotle, Oportet principem pra-
alys deicolum videri, minus enim putat subditi
a talibus pati aliquid iniquum, & minus ma-
chinantur contra talem, tanquam habeant pro-
pugnatores etiam deos: Aboue all other shoulde
a prince or magistrate shew hymself religious
and godly, bycause the people will so muche
the lesse feare to be euill ruled, neyther will
they lightly quarel and disobey, bycause they
accompn that such rulers by God are defen-
ded.

Religion.

Arist.pol.4.

ded. What made the **P**ythians to inventall
on so many Gods: the **G**recians to collectall
the Oracle at Delphos: the **R**omanes to so-
lempnise the processions of Janus: the holy fire
to be watched of the bestall **P**runnes: the Col-
ledge of Augures to be erected: þ office of Ac-
dilis appointed: the dignitie of Summus Pon-
tifex by **N**uma Pompilius instituted: and by þ
religious lawes set forth by Papirius so
straightly kepte, but to recognise religion,
the chiefe ornamentiſe of a common weale?

And therefore concluded Cicero: *Pierate erga deum sublata, fides & humani generis orum. De natura de-*
Societas, & iustitia virtutum omnium excell-entissima tollitur: If godly religion once goe
to wrecke, all trust, all societie of mankinde,
justice and all vertue decayeth. It muche
do say: If Magistrates bee not maintayners,
and furtherers chiefly and most of all of Chri-
tian profession, and the godly exercises of re-
ligion: and all others, tractable, zealous and
followers of the same, howe may any one be
perswaded to haue confydence in those that
gouerne to haue iustice ministred, or else one
man to lytie in quiet by an other? iustly ther-
fore was Homer excluded þ common weale by
Iato for fabyng of the Goddes: as rightely Plato.
also

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also doeth Seneca invighe againste dissemblers, and such as shame to be counted of religion, counting it no wiſdome, not to colour their ambidextrous clokes, with baying, facing, turning and returning, swearing and forswearing: and aptly are they called of one other, monſtrous Cœtaurus, ravening Harpies and plaguesores of a common wcale, demonring the laboures of other men by their ſimillier practises of hatefull impietie, in no maner paſtished, howſoever they shamefully offend, becauſe they haue on them a ſemblance and ſimilitude of moſt ſincere profeſſion.

Care of common weale.

Cic. i. offic.

The ſeconde poyncte is countrey loue, care of common weale, a melidispoſed mynde to preferre the vniuersall ſtate of all as willingly as any priuate cauſe or ſingular intente, whiche to the euermore the Stoikes compaſſed. Consider (ſayeth Cicero,) euery thing well in thy mynde, and thou ſhalte bee of that opinion, that no ſocietie is like vnto that which euery man hath with the common weale. VVe are alwaies carefull and louing of our parents, our chyldren, our friendes, but our native countrey is both the vniuersall parente of vs all, for whiche no good man will refuse to lose his life. And in another place making comparison betweene ea-

he state of our country and dueke to our pa- Offic 3.
ents, he inferceth: If the sonne knowe his fa-
ther to compasse treason againste his coun-
try, he ought to entreate him to giue ouer, if
that maye not serue, hee must reprooue him,
and last of all, *si ad perniciem patriæ res spe-
tabit, patriæ salutem anteponet saluti patris:*
f the daunger tend to destruction of his cou-
try, hee must preferre the safegarde thereof,
before the safetie of his father. As in the
reate plague of Syracusa, when the Oracle
unswered, that nothing could ceasse the same
without vengeance were done on that abho-
minable incest and rape lately done among
hem, Cyane the daughter of Cyanippus,
knowing it to meane her and her father, which
no creature else did knowe besides, being done
in the darke, and appearing onely, by a ring
that she wretted off his finger in striuynge therre
to redeeme her countrey, preferring the same
before her fathers life or her owne, the silly
girl became her fathers priest, haling hym
by the heare, to bee the living sacrifice that
should appease the vengeance of so soule a sall,
and then offered her selfe also to the deathe,
to haue her countrey sauad. The lyke wee
made of the father to his sonne M. Fulvius
Fulvius.
noble

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Plato.

Common
weale is pri-
uate welth.

noble Romane, that spared not his only sonne of most exceeding wisdome and beautie , ouer pris of Catilines conspiracie, but killed him with his owne hands, saying : I never begote thee to be on Catilines syde against thy countrey, but to fyght for thy countrey against the traitor Cateline. And therefore saith Plato: we are not borne euery man to himselfe, for to our countrey we are greatly indebted, that is, every man, to ioyne himselfe, by his private commodities and trauels, to profit all other as well as him selfe, as the Stoikes confirme, and that is regenerate on earthe , nature loweth to serue mas vse, and me are generated one to serue another: who may aptly be compared to the harvest of little Bees and Cammettes figuring the state of common weale, who laboure in common, and none refuseth: they gather together, and none enuieth: they lay together, and none spoyleth: their defence concorde, and privatie in peace , mutuall helpe and like labours in time of daunger and neede. For so shoulde privileged persons of one berte, every one vsing his calling, to profit all to damnifie none , and þ must be by prepou- gning private lucre þ may not impugne publicke utilite, since þ universal cause of þ whole common

common weale is þ particular cause of every
particular person; which communite ent decay-
ing, what goeth not to wrecke? without obli-
gatione the prouisions, what humanitie is in men that
þre beaſtis do not ſhew? of which ſaith Ciceron Offic.3.
*nam singulorum hominū opes & facultates, di-
uitiae ſunt ciuitatis,* The poſſeſſions of every
man, are the riches of the whole citie. And af-
ter Diogenes, Every publike commoditie, is
the peculiare goodes of every singular person;
to uſe as his owne in common with the rest.
Being maruelled at, that he had nothing in
property, not ſo much as a little houſe to dwel-
l in of his own, he pointed his finger to þ good-
y gallerie of louis porticus in Athens, ſaying,
Euen this roial place is mine, and at my com-
manderaſt, meaning, it was a publike place
of pleaſure, to ſerue þ uſe & eafe of eucry man.
What then, loſeth he þ ſtudie þ maintenāce
of a publike weale, whē himſelfe in common is
partaker of his ſtudies? or who would ſo liue
unto hiȝfelf, as be estraged fro al meſides?
But what ſhould I reuerſe þ care & ſtudie of ſo
many worthy meſe of þ Roman common wealth
& many others, þ thought it gretell ſecuritie to
aduenture life & goodes for þ common weale, & lu-
re inestimable, to conſer their ſubſtāce to relend
others, but moſt of al to benefit þ comō ſort?

Such

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M.Curius.

Aristid.

Epaminund.

Agrippa.

Nummias.

Fabius.

Lysander.

Plut.in vit.

Nicias.

Decii.

Curtius.

Cato.

Suche was M.Curius, that of all the spoiles of his great conquest in warre, having bestowed the mooste part on others, and leaving least to himselfe, answered those that condemned his follies: My part is not to little that may serue me and my housholde, for it contenteth me to liue, that others may liue by me. Such were Aristides, Epaminundas, Agrippa, Nummias, Fabius Maximus, Lysander, and others, that dyed in great pouerrie, through continuall trauaille they tooke for y common weale, y great riches they bestowed to many publick goodes while they liued. Such was Nicias of Athens, that made it alwayes his fable to consider of his countrey, and never had greater conseruence with his frends, than for to propote common weale. Such was the singular loue of the two noble Romans, both Decii to their countrey, that they liuited ouer in the waires of the Galles and Latins. Such a one was also Curtius, the valiant gentlemayne that boldly & voluntarily leaped hys selfe into the great gulfie in Rome, into apparant preemptorie destruction, only to do the Empire good, as y oracle had spoken. Such a one was Cato, a fedre youth of 16. yeres old, who would haue ventured his life on Sylla, that troublid

the comb'weal, & in his reuer'd age so pifte d'
mutation of Rome like to follow vnder Julius
Cæsar, þ for sorrow he killeð hymselfe, chould'g
to dye rather a piolet death, þā to be of cou-
sell in Cæsar's court, when the common-
weal world suffer violence. Suche one was Hospes I-
hospe of Sylla, in that his bloudy mother in
Italy, refus'g to be spared when all his coun-
try fittered, crying out to Sylla, and laying
downe his dead on the blocke: Solus ego, ex-
tincta patria non reliquerar, Pompey. Pompey.
countrey is destroyed, I will not leue alone
Suche one was Pompey, rendring his coun-
try more than his owne safegard in those dan-
gerous seas that he sayled, to buttayn roome for
his countrey, answering the fateful maty-
pers: To aduenture necessarie conraynes,
(meanting the whole countrey whiche farn-
wed) to syue no necessarie compelleth. That
dnyke to such men be thole now a dayes, that
not only shew themselves carelesse to change
the common-wealth, whiche every god man in
conscience is charged withall: But also in the
spight as it were of durtie and contempnee of
their calling, most odious and hateful to god
and man, neyther touched wylde boare of vre-
ture, corporall orthe or care of laude, þey let farr

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are occupied and become the instrumentes of malice to inuegle others to obscure and despoyle the uniuersall state of all, that themselves maye bee at singularitie aboue the teste : of whome yee neede no more, but iudge what inwardre Enuye can worke by suche insatiable greedynesse and selfe lusting lucre, growyng to secrete grudges , private mutinies , hatefull commotions, and open incorrections in all Common weales , such as the enemisies of Rome, the extorsion and oppression of Verres , the conspiracie of Catilene, the ciuil warres of Marius and Sylla , the parties takynge of Julius Cæsar, and the bitter decay & impouerishment of hery many states and famous Cities, by the onely worme and serpentine division of neglecting common weale, in many histories, can well declare. O worthe speech therefore of Marcus Aurelius to bee chronicled of all degrees, and specially of magistrates : As long as I gouerned Rome (saith he), I never kept man in my house, after þ I once knew him an enemy to the common weale. The same is therefore last all compared to a shipppe on the See, which needeth the labours of all that saille, and requireth heede of euerie one, not only to scape wrecke, but also to land safelie, one

Verres.
Catilene.
Marius.
Sylla.
Cæsar.

Cap.46.

to rule the sterne, an other to tend the saile, others to wozke with oares : soz so must all people of one societie compare themselves togither, some by counsell, some by labours and travelles, some by might and authortie, some by liberall helpes and subsidies, everie one as hee is called, and all togither in one, not onely to preserue common weale, but also to profite and encrease the same. These two poyntes of charge, as they touch all generallie, in this wise being proposed, it foloweth perticularlie of all degrees . But before I note the charge that lawe and ciuill gouernement geueth to all degrees, shall first bee propounded, the morall life, that vertue by hir self prescribeth, whose deserthes ciuill gouernement and nothing els can restore to vertuous and ciuil life.

CHAP. 6.

Of the morall charge of dutie that vertue it selfe prescribeth to all degrees, being the president of liuing that ciuill order directeth vnto.

G.ij.

The

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He wisedome of oure alders, that were charged with the common weal, trauailed not so muche to prescribe civil lawes, and penall corrections, to chassise them that were offenders; as they studiéd by morall discipline to keepe them from doing the same offences. Of whiche sorte were Philosophers, that emploied them wholly to settle men to a decent and ciuile lyfe, without inuention of lawe, only for honesties sake and loue of vertue. Among whome, Crantor an excellent Philosopher of the Academikes, and schoeler of Xenoerates, deuideth all the actes of mannes lyf into fourte partes, to be therein wholly practised: vertue, bodyly health, honeste pleasure and lawfull lucre. For, first of all, whatsoevre is not of vertue, becommeth not: secondly, health is to vertue so annexed as the passion of mynde muste needes bynder vertue, if the bodie by sicknesse be distempred: thridly reasonable myrh is a good recreation, and a necessarie accident unto health and vertue both: And fourthly, in respecte of urgent necessitie without sufficiente helpe of worldly weale to succour our beeing, all three doe perishe and lyfe despaireth. Besydes that of Callimachus opinion: Diuitiaz sine virtute nunquam

Fourte
pointes of
mans life.

Callime-
chus.

quam hominem efferre possunt: virtus sine diuitijs parum admodum illustrat, Ryches without vertus can never make a man noble, and vertue without riches gaynes him little fame. As touching the firsste, that is Vertue, Of vertue which is a good disposition of the mynd to all honest and landable things, contrarie to vice, it teacheth all men two mosste excellent properties. 1. To vse reason for the governoure of all his appetites, and to subdue all manner affections to the rule of reason, even as the fierce and barbed horse is turned and managed by the bridle in the riders hande: whereof saith Quintilian, As the fowle is made to flye, the horse to runne, the Tyger and wylde beast cruel and mischeuous: so to ma is proper the exercise of the mynde in all maner vertue.

Of which fourre are the cardinall and chiefest vertues in Philosophie, prudence, iustice, for^{titude} and temperance, called sister^e, as it wer of one birth, and of one beeing, in that, that who so lacketh one, is maymed in the reste. For Prudence without Justice, is suttletie & crafte: Justice without Temperance, is very cr^e ltie: Temperance without Fortitude, is starke cowardyse: Fortitude without Prudence, is temerarious boldnesse and solehar-

The car-
dinal ver-
tues.

G. iiiij. dinessse.

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dinesse. They are also called y principall vertues of all other, because there is no maner vertuous occasion, but it may bee to one of those

Cicero offic. I. referred: as in Cicero: all that may bee called honest, proceedeth from one of these four, for

Prudence. eyther it wil be a part of Prudence, which discerneth truth from falsehood, and riddeth men of vain opinions: or it toucheth Justice, which doth wrong to none, and kepereth touch with all

Fortitude. men: els it is a point of Fortitude, that sheweth prowes and courage of minde in honeste

Tēperance causes: or last of all a marke of Temperance and modestie, obseruing a maner and measure both in word and deed: of which vertues saith

Socrates. Socrates ad Alcibiadem: *Nihil expetendum in vita humana, nisi quod cum virtute et honestate est coniunctum;* Nothing is to bee v wished for in all the life of man, but what is ioyned with vertue and honestie. And so shold euery man affirme to himself and acknowledge, that howsoever vice doth binde him, affections lead him, or vaine opinions flatter and deceiue him: howsoever he can colour, smothe & keepe secret his owne euils frō being espied of others: howsoever good mē ignorantly mistake & allowe his doings, because they perceive not his inward wickednes of hart: yet all the coucels, adies & deuises of the braine what ever they be,

are to be condemned, þ proceede not of one of these vertues . for els might Aristippus have Aristippus. ben wel perswades þ he did very wel, to give bawdrie a kinde of commendation, when hee was taken in the stewes by a yong man of the same haunte, the better to excuse himself. And so might the argument be seeming good betwixt him & Diogenes , to proue their follies lawfull with the harlot Phrinee, Aristippus alleaging, the office was nothing, because she was common to every man before, and Diogenes concluding plainly, it was no shame to him, because men made no more accompte of him but to cal him dogge and one of doggish manners. In lyke sorte was þ saying of Medea : *Video meliora probog, deteriora sequor,* I see well what is best, and so I doe allowe it, & yet come what may, I wil folow the worst: a meet speech to let lose all affectiōs. So was þ of þ Struthio, þ having his head hid, thinketh Struthio. all þ body safe, a pretie exāple for every man to hide his faultes, if any false persuasiōs, or baine practises, þ are not of vertue, were to be counted honest. And this is the first rule of upright and comēdable living. In the second, which is bodilie helth, is cōcluded whatsoeuer disposest Bodilie a man to any holesome exercise , measurablie health,

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to be taken, beginning at that firste measure,
which nature marketh out to be a moderate diet
of meates and drynkes: Ut vires reficiantur,
Cicero de Senectute. non opprimantur, sayth Cicero, that the po-
wers of the bodie may be refreshed, and not
overcome. Accordyng to that of the Poet in
his Satyres.

Non vias ut edas, sed edas ut viuere possis.
Live not as a glutton, still foy to eate,
But eate, to mayntayne lyfe by thy meate.

Socrates.

Gluttonie

Seneca.

And the same was it, that made Socrates
allowe of no sauce but hanger, and to obserue
no times to eat, but when he was hungry and
never else, still counting hunger and thirste the
most necessary blands for men to feede vpon,
the chichest cates of the market, the best physike
for health, and greatest encrease of a common
weale: Which if all men woulde folowe, the
physitions would never complain, that ney-
ther warres nor famine kill so manye as sur-
fetting and drunckenesse, hastening age, pro-
curing feblenesse, and diseases without name
and without number, till the bodie rot or fall
in peeces. Whereof Seneca giveth warning,
sayng, Ede circa satietatem, bibe cum sobrietate,
Eate no more than enough, & bste to drinck so-
berly. For what could be more bitterly spokē

to

to the shame of a gluttonous riotour, thā that
of Diogenes skoffingly b̄ld, when hee redde Diogenes.
the yong mans bill on a poale in the market
place, offring his house to sel, I knew very wel
(sayth he) this house was so besie ged with fea-
sting and quaffing of good fellowship, that it
would soone spew the owner out. The lyke
was that wile taunt of the graue Cato used to
Albidius in Rome, that having consumed al þ
he had, sauing onely the house he dwelt in, in
good cheere, tauerning, revelling, & baketting,
having the same house too at last consumed by
fyre, Cato termed it the offering Protervia, (a
kind of sacrifice in Rome, at which if anything
of the feast remained, þ maner was to burn it)
as though he might say, when Albidius coulde
eat no l̄ger, he cast the rest into the fire, mea-
ning by his iust reward for so good deserts. In
other measure vnto bodily health, is the mode. Sleepe.
rate vse of sleepe and rest from labour, so much
as nature can be contented with, without the
barmes of idlenesse. For as it is verye true
that the Philosopher sayeth :

*Quod caret alterna requie, durabile non est,
All that wanteth rest, nowe and then among,
Can not continue and endure long.*

Euen so immoderate rest and lafynesse of
G. b. sleepe

Cato to
Albidius.

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Aristotle.

Socrates.

Pithagor.

Plato.

Sleepe engendreth in the bodie as many mortall diseases, as all y^e parts hath proper names. Wherfore sleepe is termed of Homer and Dyogenes, the brother germa of death (chuse how you will understand it,) because it representeth death, making the bodie all that while as it were a dead carcasse, senselesse, or els, because the immoderate use thereof the soner bringeth death: wherunto Aristotle somewhat applying, maketh the happiest sort of men and most wretched, for one half of their life long to be all one in happiness, because felicitie consisteth not but only in vertuous and watchfull exercises, as it were concludyng thereby, that moste men doe sleepe shamefully the one halfe of all their life: most contrarie to that of Socrates, that then and never els alloweth the same, but when the bodie by exercise or studie is weerted and needeth naturally to rest and be refreshed: sat unlike to that of Pithagoras, that thinketh five houres in xxiiij. to bee sufficient, and seven houres togither, iⁿough for the childe in the cradle: and is so highlye condemned of Plato, that it was of hym enacted, *Nemo dormiens, nulla redignus*, He which delighteth in sleepe, deserueth nothing, no not to live. The third measure

measure of bodelle healthe, is the vse of laboure and lawfull exercise, to repell idleness and to fortifie the powers of nature. Such were those of Socrates in walking on fote and wrassling with others: such were the games and trying of masteries of Olympia and Nemea: such are the commendable customes of running, shooting, and contending with hande and fote. In which besides the gaynes of healty, it winneth many praises, as wee reade of one Ladas so light in running, that bee never lefte one pinte of fote, eyther in dusse or sande: as also of Polymnestor, for his swiftnesse compared with anye hare: the lyke of Milo Crotomata, of suche validite of arme and legges, by onely vsyng to carrie a calfe, (as he still growed to bee bigger and bigger) on hys shoulders for a daily exercise, that at length he was able to carrie it a furlongs length, beyng a greate dre. P. Scieuola, Dionisius and King Alexander eftesones vsed to playe at Tenise, manye otheres recommended football, thrawyng the barre, swimming and suche lyke.

The Lacedemōs trained al their youth in hunting, running & wrassling. And þ wise Licurus

Good exercises.

Games of Olimpia & Nemea.

Milo exceeding strength.

Sceuola, Dionisius, Alexander, Tenise players.

Lacedemōs.

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Baleares.

Ad Demo-
nicum.

Honest ple-
sure.

gus made so much as the maidens to runne, to
wastle, to practise with dantes, and hurling
stones and bowles, to corroborate nature. In
the Iles of Baleares the children shall not
eate their breakfast before they haue hit þ mark
on the tree toppe with their slings every day.
Many like good exercises mighte bee devised
nowe adapes, in steede of Tables, Cardes,
Dice. &c. If bodily health were well prouis-
ded for, insteede whereof the vertues of the
minde, by greeuous and bayne speeches of the
mouth are foully defaced. In conclusion, let
the body be so exercised as Isocrates speaketh
of, that the minde also maye bee occupied, for
that is both profitable and vertuous exercise.
Accustome thy body (sayth he) to suffer la-
bours, and seeke wisedome with thy mynde,
that by the one, that is labours, thou mayest
put thy councels in practise: by the other, that
is the good occupations of the mynde, thou
mayest take councell, what is best to be done.
And in another place he sheweth the double
commoditie thereof arising, For it giueth
health (saith he) and also frameth the body to
endure paine, as often as it is enforced ther-
vnto. The thirde act of this division is of be-
nest pleasure, through which, saith Anacharsis,

þtē

the body is not only refreshed, but the minde
also is made more apt to return to his former
contemplations. By whiche is not meant the
pleasures most vaine, and falsly named plea-
sure, that Socrates speaketh of, comparing the
bondage of bodily pleasure in some masters
to be worse and more shameful than that they
crie out upon in their bondeservantes: nor the
pleasure that Homere speaketh of, saying that Socrates.
Homere.
Circes by pleasant enchantments turned men Circes ple-
sures.
into beastes, some into swine, some into asses,
some into foxes, some into wolves: nor yet
the same that Plato so descriyeth, engendryng Four qua-
lities of
vaine plea-
sure.
fourre most notorious euill properties: fynesse
obligacion of all good thinges, whiche men be-
fore haue learned, and then dulnesse ever to
learne the lyke agayne: thirdly a mynde em-
bracing the wortyf of all opinions, and utterly
made barren of all judgement and discretion.
Fourthly pride and disdain of other men that
imbace honestie: wherin both Plato and Ho-
mere may be construed of one meaning. For
if by suche vnseenuy pleasure as the bodie lu-
steth, a man doe once inglutte himselfe wyth
vanitie, or walter in fynesse lyke a swyne, he
quickly becommeth dull lyke an asse, in un-
derstandinging of either learning or honestie:
and

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and yet he wareth subtil lyke a fore, in bren-
dying mischiefe and disorder, with a busie
head, a discoursing tongue, & a factious harte:
and lyke the ranening Moule, there is no end
of his greedy lust: of which kinde of pleasure,
it is also, that Aristotle speaketh, wyllyng
men never to looke on it, but when it is tur-
ned from vs, and goeth away: for then it ca-
rieth griefe: and not to beholde it commynng
towardes vs, because hir painted face at first so-
shineth, as it may sone deceiue y wisest. How
it is accompanied with bitternes, sorrow and
repentance at the lasse, well declared the king
Lysimachus.

Aristotle.

Demosthe.

Lysimachus bitterly weeping and crying out:
O good God, for how small pleasure, haue I
made my selfe that was a King, a vile bond-
man to myne enemie. Demosthenes like wise,
when he forgiudged, how it might repente him,
to consent to rbe naughtie harlot Lais, that as-
ked ten thousande groates of siluer for one
nightes pleasure, bursleth dute into these
wordes, *Penitentiam rati non emam*, I wil not
buye repentance so deare, signifying therby,
that to all vn honest pleasure, repentaunce is a
prest companion alway folowing, which be it
never so shorte, the griefe is aye enduring, as
in the fable of the Poetes, pleasure and so-
row

rom striuyng togither before Jupiter, they
laine Jupiter so set them at one, and to ende
all quarelles, knitte the one faste to the other
with a knot of adament, that is to saye, never
to bee vnknot agayne. Of the pleasure then
that the Philosophers speake of, must the be-
gynning, middle and ende bee vertue, and
nothing but vertue and a vertuous intent, e-
uen to prepare the bodie and minde to returne
to their former seruices of honest occupations.

for saith Cicero arguing thereoppon: *Offic. I.*
are not begotten of nature, to passe the tyme
onlye in pleasure and sporte, but moste of
all to sobernesse, and to bee occupied in seri-
ous and grane matters. As for anye kinde
of mirth, (saith hee) it is to bee vsed none o-
therwise, than sleepe and all other rest, and
that never els, but when we haue done
with other needfull and weightie causes. The
lyke in maner is that of Aristotle: *quo animo Eth. 3.*
senes illi erga Helenam affecti fuerunt, codem
nos esse debemus erga voluptatem. For when
the Troyans, sat in counsell, which were best,
to deliuer Helene to the Grecians agayne in
peace or no; the elders thought it moste wis-
dom to relloye her, as beaultiful as she was: and
therfore saith v. Philosopher, loke what mind
the

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the elders of Troye were affected withall to
wardes Helene; so ought we to shewe our
Honest cō-
ferēce gret
pleasure.

leues in the valies of pleasure. In sles wider
of, and in lieu of licenesse, wantonnesse, am-
banisshes, none can better refreche the mynde
none better becommeth all memmies vacacion
from labout, eyther of bodie or mynde, now
can so singularely delight me that embraceth
wollesome, loueth honestie, and woulde mi-
rake the name of a culle man, as the phisick
v. pleasant, familiar and vertuous com-
reince of god men gathered together to make
their communication of duttie, by porche,
good reformation of a comon weale, by co-
pating the learned inuentions and god ex-
amples of others, and of all ages. King A-

Alexander

Alfrede.

lexander desyzed none other pleasaunce to refresh
him, but to turne and reade the booke of Ho-
mère always in his bosomie, or at his beddes
head. So did Alfrede, a king of this realme,
Anno Do. 899 not only beseech God to bridg
his proclivitie to pleasure, with some continu-
all sicknesse, as it came to passe: but also being
thus grieved with many diseases to the xii.
yeare of his age, diuiding the day and night
into three parties, eight houres for bodily rest
and naturall diet, eight more for players and
almes

almes deedes, he vsed the other eight for pleasure, that was for studie and conference with the learned, so that was his pleasure, duryng which, he trāslated many godly exercises out of Latine into English; Orossius, Pastorale, Gregorii, Boctius de consolacione Philosophiae, the historie of Bede, and one Booke calld Enchancement, her published at hys owne making. A worthy pleasure for a prince, and a president of imitation for all people: a greate rebuke to the vapue delights of many, but a more shame to the idle lyfe of such as are learned. I intende not hereby, that severe life of the Stoikes, as though all manner lyking that soundeth not of the very inwards of vertue, were to be condemned; so that were to graffe men of stones that haue no feeling: but all honest pleasure, whiche may any wares agree with laudable mirth, according to the capacitie of every one, is allowable: so that varice and slythy lucre hamper not men in gameing, so that decencie and decorum bee kept, so that ouer often vse, deserue not to bee counted foule abuse. As Plato distinguished Plato. with the yong man that repined to be checked for hys common dicing, counting it an over-greate checke for so smalles thing, vies may sayth

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Demea.

sayth Plato, the dayly vse thereof, is no small thing, my friend: like to that of Demea in Terence, saying: I passe not of the thing it selfe, but I most of all mislike the accustomed vse thercof, that is, the dayly and unnescessarie frequenting of idle pastimes, neyther following necessarie labours, nor yet going before profitabile pleasure, according to the Poets sayings of both:

Dulcia non meruit, qui non gustauit amara.
Who sober tasteth not, is farre unmette
In any wise to tast of sweete.

Agayne.

Omne tulit punctum, qui miscuit utile dulci.
All points he hath hym gote alone,
That profit and pleasure knittes in one.

Wealthe and
riches.

The fourth and lass thing that the philosopher speaketh of, incidente to the lyfe of every man, is such lawful and honest trade for getting and acquiring of necessarie wealth and were, as may be competent to all degrees, to minister to necessarie and no more. In which I omit Aristoteles division of iustitia distributiva, and commutativa, how money and com began, and also the many differences that Ciceron maketh, betweene the liberall and sumptuous trades; and bawle and vyle occupations: only noting

noting that where he saith, that nothing may be done or exercised, whiche is repugnant to honestie, though the same be profitable. And in another place affirming plainly, that it is not profitable indeede howsoeuer it seeme, except the same be likewise honest. In per-
formance wherof, all greedinesse of excesse gaynes, durtit by lying and swearing, unla-
wfull cheuisance in chipping and cut-
ting, vsurie without loue or charite, proprie-
on oppresion, vnderit, banke rates, and parson
customes, and such like buddes of infidelltie,
are to be vterly expellid, as Chamefall, huff-
full, most vile and damnable : as it is aptly
spoken.

Dannum appellandū, cum mala fama lucrum.
All gayne that is gotten with evill name,
Is losse to be counted, and not any gayne.

For saith Aristotle, what getteth a false man Aristotle.
by his lying: mary (saith he) when he speakeþ
most true, no man will beleue him. As for
bayne and lying others, the Aegiptians puni-
shed with death. If any man shoulde seeme
to permitte, and suffer an other manne to
oversee him selfe in buying and selling,
Cato made them guilty, to make a re-
compence : muche more vnde they vndeue,
that

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that practise false sleigtes to deceyue and beguile. Usury in elder times was most odious: excessive gaynes was condemned, as the **Pæcetes** sayes of Aesculapius that experie **Pbilis**, on, how he was striken with lightning from heauen, and thowrone headlong downe into Hell, bycause he was so greate a taker for the bise of his practise. The Romanes call Sylla in the teeth, for his sodayne rising to be mealthy lapping. How canst thou be an honest man wch al the goodes that thou hast gotten in so shorte time, seeing thy father left thee nothing? may warne the Merchants of undired adventures, and the caterpillers of the common weale. What cause of infamie, suspitious dealing engendreth euermore, of whose covetous frutes, the comition proverbe saþ:

*De malo quæsitio; non gaudet tertius heres:
Though ill gotten goodes continue sometyme
With father and sonne,
Yet to the childe heire, the same may never come.*

It is none almost doe not dayly see, all that descend from a wicked father, seldome continue with his child many yeeres: for either aduersitie and unhappie fortune robbeth him, or else in vice, all is prodigally consumed, so that nothing prospereth, till beggerie, or worse then that

Pindarus.

Sylla.

that, hath made the end most miserable: peare
in the middest of all loue and gaynes; this bid-
thy auarice so infesteth, that man is the weakeſt
so greeduously passioned, as being vncouer-
disquieted, he never bathe lesse, than he which
most aboundeth. For the ſcuer old dieuer yd-
nough, alwayes ſhaketh his appetit. First of al,
little deſireth muche, muche loikes ſomþyng,
more will haue abundance, and all that abun-
dance bringeth, never fulleth ſtore, as ioyntly
ſaid,

Crescit amor nummi, quārum ipsa pecunia crescit.
As ſummes of money do encrease, from greate
to greater ſtore,
Likewiſe increaſeth, loue thereof, ſtill dayly
more and more.

And therefore ſaith Plutarch, as a man ga-
ing to the ſea, and rowing from the ſhore in a
ſmall boate to come to the ſhip ſide, beginneth
to vomite, & wishing to breake the great boord,
ſuppoſing to finde eaſe thereto, is ſicker then
he conuines there into the maine, than he was
before: Eue ſo a poore man of lowe birth, and
every man else that is not corrupted with his
fortune, couetes aduaancement, and ſo haue
his goodes encreased, as it were to be at felici-
tie: which if he chance to obtaine, he becomes

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Alexander.

among hem disquieted, and more unhappy than ever he was. As King Alexander posses sing iustitiam in the whole world, was never the like so out of quiet, that hearing Democritus distinguishing of many worlds, he wept bitterly, for that he had not yet conquered one of them. Vespasian the Emperor on a time, hearing that the funerals of a noble man in Rome had cost 600. pounds, the money so enflamed him with rage that as one besides himself, he cryed out, saying: And give me so much money to my parte, and cast me into Tiber, I care not. But how lively is the conefous wretches set forth by Martial in his Epigrammes, in the person of Scewola, whiche hating obteyned his wished wealth, then liued most wretchedly of all. The wretches are these in englysshe.

If millions many Goddes woulde giue,
desyredis gittering gold; if millions of
Sheuld not then Scewola be esteemed of pridess
and highly be extolde.

Otherthal the Goddes did fangle, o betha: said
And gans him his request; but then to him quod
his lodes he gan exle.

Wheragged gottene, bespelling patche; wherou
omistrola could use; an with patche on patche a lontish lobbe,
he toborred off his shooes.

His table then he did neglect,
 the coursest fare did please him best:
 with worldly cares he was so toll,
 that scarce he tooke his rest.
 Then must I live, he often sayd,
 or else the Gods me take,
 And so with welch gan cares encrease,
 and him more carefull make.

Through whyche greedy avarice alwayes
 coueting, it was that Diogenes sayde, Golde
 loketh pale and colourlesse, bycause so many
 lye in waife most cruelly to take the same:
 Through which filthy loue of mony in p ex-
 treame famine at Præneste in Italy, a Soul-
 dier having caught a mouse, chose rather for
 lucre of. 200. pence, to sell the same to one of
 the campe, than to eate it himselfe. By whych
 greediness he was famished for all his mo-
 ney, and the other lyued. The lyke was that
 of Midas, wishing all that he touched to bee Midas.
 golde , whereby the meat was changed in
 his mouth , and he miserably perished , with
 golde sticking in his throte. And what be-
 commeth of all at last, that is so miserably by
 covetousnesse unlawfully gotten ? mary even
 as wretchedly by wilfull prodigalitie to be
 spent, as the Proverbe sayth :

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*Quod parce querat, cum under prodigiis haeres.
The coveteus for riche spends not, and all for to
spare
For the prodigal childe, that spends without
care.*

But who knoweth not the miserable de-
sire of many, þ are easil lacking, bycause they
know not how to use euē that that they haue,
and will be neuer accouanted riche, bycause they
are ashamed to be seene how they do abuse the
same? such were neare leareid of the phisico-
þo-
The dwel-
ling of riches *þ* Socrates, Diogenes, Bion, Crates, Anax-
and pouertie. agoras, Pithagoras, and others, to neglect the
surplusage of welthe, bycause they either made
a quiet mind: and to set it at naught, bycause
they do few men good. Aristotle in his proble-
mes, defineth such men to be the woorst of al o-
þer, by questioning with riches of their dwel-
ling, whose answere was, that since they had
purposed to dwell with good men, till I impie-
ning their purpose, did cleane put out their
eyes, so that ever since, they blistlye chaunced
to fall among the woorst: and demandyngh þ
like of pouertie, why she visited the weliþor, &
ever outpassed the wicked, she answered: by
cause good men knewe howe to increate her
meaning, they woulde take pouertie in good
part, because vertue was their treasure: but the
wicked

In problem.

wicked sort would be alwayes coniuring, and at defiance. And therefore such murtherers as Tantalus, ambitious as Cæsus, & Sycophants as Clitom, of welth had abundance: such good men, wise, last, and graue counsellors of the commonweale, as Aristides, Cato Uticensis, Fabius Maximus, Anaxagoras, & Plato, were vermoder in trouble, povercie, and affliction: finally, as these riches are incident to our living, as they are to be gotten and acquired lawfully, as the possession and gettynge thereof are abundantevante! so vertue is hanßlyed with pough: by illfitt practices purchase shame: so if fortune step away, if weake will not tare them with them that be vertuous, if poverty apply her wher she may be entertaing, let every man accept his estate, as though a ciuil & honest life were the chiefest instrument to felicitie. Is Socrates walking in the market, among þ richeshops of all maner costly wares, burst out to himselfe, saying, Lo what a number of things here are that I haue no neede of, Am not I therefore being in this minde, that I lacke but few things, so much the liker to him that lacketh nothing. And these are the fourre ailes of the whole progressse of a perfwond life, imita-
tion of vertue, care of health, lawfull use of
honest

Socrates.

H.b.

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honest pleasure, and due consideration of the necessarie accidentes of welthe and riches, to vertue and honestie not repugnant. Which if all men naturally were inclined to folow, no civil policies to frayne all degrees, neyther yet lawes to preserue policies, had bin necessarie. And as these moral partes haue bin briefly proposed, so I thinke the priuate being of household, which is the first originall of societie, and very entries of the common weale, also the firste and formost practise of ciuill governmente, shoulde be likewisse noted before the civil dutie of all degrees and necessitie of regiment be declared, bycause they are the seconde causes, wherewnto these firste accidentes are to be compared.

CHAP. 7.

Of the being of mariage, and duties of househould in their degrees, conserning vnto ciuill gouernement.

A.Gellius.



Etellus Numidicus. On a time, making an Oratyon to the people of Rome : O you Romans (sayth he) if we men were able by our selues, to liue without wifes and unmaried, then woulde wee never bee troubled there.

herewithall: but bycause nature hath so appointed it, that we cannot liue very well with hem, nor yet any way possible without them, let vs be aduised, rather to choose that, which is for our continual health, than for a shorte and transitorie pleasure. The graue Censor well considered, that without lawfull coniunction of man and wife, no stocke could be maintayned, no heritage can growe, no issue can be certayne, no house can stande, the common weale can neyther be peopled, nor safely governed. Of which the Greekes so much af- feare, that the state Economicall of every mans private causes, shold first trie him able to governe in the common weale. As it was bidden to King Philip of Macedonie, when Philip would haue pacified the strifes in the citie: and also to Leontinus Gorgias when he red Gorgias. to people, a Booke of exhortation unto condicione, þ their counsell wold little help, whiche could seeme to order others, when they could not govern their owne at home. And Philip had his wife and his sonne at continuall disconde, and the wife of Gorgias and his handmaid could never agree. The parts herefore containe three parties in ma and wife, paréts & children, master & of mariage. quantz, which are in commen, þ armes of that tree,

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Of man and
wife.

Gracchus.

The wifes of i[n] his R[ome] r[ome] w[ere] And on the w[om]ans part
Mimi die for had not the husbands called Mimi such to all
their husbands wifes that being condemned for treason by
the Lacedemonians the night before they shal
suffer death the wom[en] as it went to take their
last

tree, the body whereof is the whole common
weale, whose dutie therefore being well con-
sidered, condueth muche to set order among
the people. In the first, that is, the combinati-
on of man and wife in one, lout, unite and a
good liking lodgeth, wh[en]e one cannot reioyc
but the other is ylad: one cannot be grieved
but the other will be sorrowfult: one is the su-
cetarie and servant of another: both are com-
fort, mirth and pleasure of one another: and
both be beginning and ending, living and
dying the one in the other. As in that notable
historicie of Titus Gracchus towardes his wif
Cornelia, wh[en] he found two dreadfull Snakes
in his house of deadly dessteny, understanding
thereby, that except he killed one of th[em], he and
all his house shoulde perish, of which if he spa-
red the male, him selfe shoulde shape and his
wife shoulde diuely contrariwise, if he killed
the male, and spared the other, his wife shoulde
live & he shoulde die. This god man chose ne-
ther to die himselfe, than living to see Corne-

all fare well of their husbands, obteyned of þ
Gaior, to speake with them in the dungeon,
and there chaunging their apparrell, and say-
edly lamenting, turned out their husbands,
and chose to die in their places? Did not Da-
mocrita, Alcippus a noble man's wife in Rome,
lea hir and hir children, bycause she was pro-
hibited to goe with hir husband into banish-
ment? the valiant Hector so farre greeued for
Andromacha his wife, more than for himselfe,
his parents, his brethren and the whole citie, as
crieth out of Homer, with weeping teares Hector.
and inward grones.

Damocrita.

Haud equidem dubito, quin concidet Ilium inges.

I neede not doubt, but stately Troy shall shortly fall,
And princely Priam with the rest, must be destroyed all:
Yet neither greefe nor countrey spoile, nor for my mother deere,
Nor for my father Priam King, my hart beginnes to teare,
Nor for my brothers all, which many and valiant be
That trembling stand before the swoord, even ready for to dye,
As do these scorching cares, for thee my wife
which greeue my hart full sore.

The women in Cathay, where one man

bath many wifes, pleade solemnly before the Munsterus.
judges at their husbands death who hath best
descreued of him in his life, and all to haue the
onor to be burned aline (as the maner of fu-
nerals there is) with the dead corps of hir hus-
band. A singular tokē of loue, amōg Painims,

even

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Mariages of
the heathen.

even to burne alive, therefore, and so contyn
chtelest honor. How þe heathen married wmen,
what lawes were made againte single li
bowþ they vsed diuorcementes, histories are full.
The Numidians, Egyprians, Indians, Hebrews,
Persians, Parthians, Thracians, & almost all the
Barbarians had many wiues. In Calechut on
womā hath viij. husbands, & the childeþ are so
thered as please þe mother. Among þe Medes,
one man had many wiues, & never fewer than
viij. One woman had many husbands and more
than five was a shame. In Arabia, one woman
was a common wife to al þe wmen of one houle,
they made no differéce of mother, or sister, if þe
were not of þe kinrede, it was adulterie. The
Turks haue many wiues, but no more but one
in one citie. The Messagites, Scithians, Stoikes
& Atheniens, vsed their wiues in common, & like
brasis openly: the Assyrians & Babilonians, as
now do the Saracens & Arabians bought their
wiues in opþ market at a common price. The
Amazones on þe wedding night suffer their
wiues to lye with al the gues in worship of
Venus. Among the Carthaginiens, before the
maidens were maried, the king shuld deflower
þe. Amog the Scots, þe Lord of the soyle did
the like, till K. Malcome reuersed it, that they
should redeme their maidenehead wþ a crowne

of golde. The Turkes solemnize matrimonie, without oþre or boþe. The people Lappones vse none other ceremonie, þā striking fire out of a flint stone, vnder similitude: that as þis fire is hidden in the stone, which by stroke of iron giueth light, even so in both kinds of man and woman, is the secret power of life, producing lively creatures. In Rome before þy bride come to her husbands bed, fire and water were giuen her, which hane power to purifie & cleane, signifying þis she should be chaste & honest. The maides of Greece & Rome (as in Homer & Catullus) vsed to girde their shaine with a lase or swaddel, til their day of mariage, at which day they wold not goe over þy threshold, but were borne in ones armes, to declare that they lose virginitie against their wil. Among the Romanes, the woman was honored, that married but once to be made a widowe, as of Anna a yong widow earnestly solicited to marie againe, made aunswere: I cannot be so persuaded for any cause: for if I should meet with so honest a man as my firste husbande was, I shoulde be continually afraid to lose him: if he shoulde be otherwise, then what folly were it to be troubled with an euill husvande, to one that had one good before? So said þy daughter of Demotio of Athes, herring þ Leosthenes, to whom

Anana of
Rome.

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whome he was betroushed, was dead in bat-
tel: albeit he never knew me carnally, yet if I
shoulde marrie any other, I shall but deceyue
him, since in heart I can never be vnwedded
from the first. Among the Mosquites, the se-
cond mariage is permitted, but not the third.
Aristotle defineth the tyme of mariage for
both sexes, that was. xviii. yeeres for y womā
and .36. for the man, making due comparison
betwene them, for the habilitie of nature: af-
ter which time al that were unmaried, Licur-
gus made to be banished among þ Assyrians.
Al soone as þ yng womē were marigable, they
were all bought and sold in open market, the
price of the fairest that were sold, was paynd
into the common banke to buy husbands for y
fowler. In Carmania no man maried a wife,
except he first brought the King some enimies
head that he had slayne on his speares poynte.
It was a law somtyme in Germany, paynd
with þ losse of life, þ every mā & womā shold
marrie within their degree of calling, nobles
with nobilitie, the free bloud together, & al i
wer bōd in like maner. Amōgst many it was
argued, whos wer most of al to be liked of wo-
men. Theophrastus was of opinion, þ a man
might moze easly cōtent hym with a homely

lady of ordame,

dame, that be persuaded to keep a fair woman honest, bicause nothing canst be safe, wherunto at men bed their policies, whiles some may be liked for their personage, som for their gifts of the mynde, and sonie sollicite their cause by eloquence, some by liberalitie: and seldom (sayth he) it is not by some means wonne that is so many wayes assaulted. And therfore Ennius calleth the indifferent sorte of women of staled beautie, and alloweth them before the fairest. Among the Philosophers some would never marie, as Arthinius a Carthaginian in the do. yeere of his age, being a verye wyse man, and as straunge unto women as he was familiar with his bodie, being importunately persuaded unto mariage for the ease of his olde age, and to leave sonie memorie of chil- dren, refusseth the same, saying : I will not be maried to any woman, bicause that if shee be soule and uncomelie, I must needes abhor her: if she be faire and handsome, I shalbe icalous over her: if she be rich, I must be ruled by her: if she be poore, it will trouble me to mainteine her: if shee be shrewish, I shall never be in quiet: and the least of all these saith M. Aurelius, is ynoch to flea a thousand men . The lyke was that of Socrates, taunting at both condi-

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Laet. Lib. 2 tions, of mariage and single lyfe also, awar-
Cap. 5. ding bothe to bring repentaunce, saying : If thou marrie not, thou shalte liue solitarilie, thou shalte dye without issue, and a straunger shall inherite thy lande: if thou marrie a wife, thou shalte haue perpetuall vexation and continuall complayning, hir dowrie shal bee always in thy disphe, hir mother wil comproll thee, and hir kinssfolkes wil bend the browes, and bee euermore fynding fault: besydes all which, little knoweth the fa-
ther what wil bee the ende of his children. Whereunto Diogenes affirmed for mariage, that the tyme of maryng, to a yong man was euer too soone, and to an olde man al-
wayes ouer late . These, among other in-
numerable Paynime abuses , haue I cyted,
to note onlye, that bothe the indissoluble
knotte of mariage muste bee alwayes one,
that the choysle of bothe sides muste bee so
honeste and godlie loue, that chaste con-
uersation is the chieffeste beautie, and that
age moste indifferent wherein they begyn
to proue wylc and vertuous, that dowrie to
suffice that maketh chaste and loyall, and that
to bee greatest housewifery to learne a god-
lie and dutifull life . And now of the same
dutie

dutie of bothe degrees, of the laudable con- The con-
versation
of husband
and wife.uersation of bothe, and of the one to the other. Moste commonly such as the man by his outward behaviour, wordes and ex- ample sheweth himselfe, the wife wil be the lyke, good or bad: and ostentynnes an euill wife is the cause that the busbande goeth astray. It is no poynte of humanitie, to deale roughlie or extremelye with the partner of thy being, as with a seruile people, whose inheritaunce is nothyng els but bondage. For that is to plunge them in dis- paire, and to make them more frowarde and distrustie, than the vilesst seruant of thine house. It is no wisedome to acquainte thine house with lasciuious and light speeches or wanton and foolish delights, least the same may beget the creeping worme of icalousie, in hir that wil aduenture hir shame with boldnes. Nei- ther is it with discretion, to set on wroke eue- rie baine opinion in a iealous heade, least un- true suruiiles procure molte shamefull practi- ses. There is a loyall obedience without se- curtie, familiaritie without contempt, tolle- table mirth without lightnesse, a trust with- out securtie, and good animaduersion, with- out temerarious rashenesse. What woman

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will not take occasion of euil, having an husband so holde to confess the dissolute life, as Comodius was vnto his wife? or who wold tolerate so much as Tertia Aemilius wife, to haue hir maiden made hir partner in hir own house, and yet dissembling hir husbands fault?

Iust.Lib. I. What made Giges to luste after Cardaules wife, but his owne follie, that was not content with his pleasures in secret, but hee must haue Giges in a priuie place to see hir naked and to witnes of hir passing propernesse? and what mad her consent to be an adulteresse, and to conspire hir husbands death, but the same his betraying of hir nakednesse? if Collatinus had not made comparison of his wifes beautie Lucretia, but had bene contented to delight him with hir, as becomed, and no further, the young Gentleman of Rome, had not bin rauished with loue to see hir, Sextus Tarquinius had not stole into hir chamber to doe his lust, and Colatinus had not ben spoilt of that excellent mirrorre of chastitie. What els is that good and politike behaviour of the Turkes, that in the sight of other never vse wanton or uncomely speech as it is also the counsell of Cleobulus to all husbands, but because the husband shal not lose his grauitie vnto the wife,

wife, nor the wife hir reverēce to the husband? But what gravitie is that of bame men, that iealously suggest agaist their wifes, and yet with hateful confessions make harrock at last before their faces? Was it to be liked of Solons lawe, that was made agaist the wife, and not the other, bidding: *Si vir uxorem in adulterio deprehendit, occidito, si in ea virum, non digno eam attinagito*: If the husband take the wife in adultery, let her die, if she find him so, he shal not be touched: at whiche parliament said a certain woman, it appeareth no wosten were of cou= self? So was it a lawe somwhat in France, that the men had the whole correction of their wifes for every light blemish, by death by hō to they wold, and yet ther shewes to be lawe sette. So was it among the Egyptians pleaded by Diodes: *Si in adulterio deprehendis, verberibus cedendus*: If a man take his wifes mistrand, Every man taken in adulterie shoud be whippēd, but let the woman ihe hit none. And yet no doon the crime as obious, and the fault to be punished in the one as gretuously as the other, excepte you will say, the weaker sexe is somewhat to bee spared: which inequality of law, and custome of tolerānce, more liberal= ly used to the husbande than the wife, as also

Munsterus.

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the dissolute behavour before remembred, have
bin very many a kinde of perswasion, doubt-
lesse & an hardening to offence. All which are
for these causes, first of all on the mans part to
be condemned. On the other side, to treate the

**The dutie
of wifes.** dutie of the wife, I note principallye that of

Xenophon, lib. de re familiari, saying, *Feminae
divina prouidentia timidiores fecit quam vi-
ros, quia eas custode, diligentiaq; assignauit,*
God in his prouidence, hath made wifes na-
turally more timorous than men, for that hee
hath appointed them to be keepers and over-
seers: meaning that whiche Aristotle speaketh
of, that the charge of the wife is of al things
within the doore, as well as the husbands
care is without, for that is to be a keeper and
overseer, even to preferre the house in safetie.
And what maketh a maide diligent to keepe
and carefully to overse, than timidite & care-
fulness? that is y^e meaning of Xenophon. In
steed of vain likynge in their own beautie, let y^e
very ornaments of womanhood delight the.
Aristotle calleth beautie a gifte, because it is
freely giuen of nature: Socrates a shoul tyran-
nie, because it soone fadeth: Plato, the pretoga-
tive of nature, because it happeneth unto few:
Theophrastus a dumbe disceip, because it per-
suades

Philoso-
phers opis-
tions of
beautie.

swades without speech: Theocritus a goodlie shewe, but daungerous, because þ view is amiable & full of incomodities: Carniades a kings authoritie without a garde, because men are subiect to beautie, and yet it beth no power at all. And last of all, Diogenes likeneth it to letters of persuasion, and eloquent speeches. But all Philosophers are of one opinion, that the chiefeſt ornaments are modrſtie & shamefalleſſe, expelling all niceſſe, wantonneſſe, newe colouring of ſkin & fauour, newe deuining of ſtraunge attire, monſtrous deformities of cutting, friseling, bozoming and exchaunging of heare, & painted facings, gaddings abroade to make newe ſhewes, conueniall revelling, and idle paſtimes, & in ſteed therof, garniſhing þ minde & conuerſation w the praife of an honest, vertuous & sober life. The ointments and waters that Pompeia Neroes wife uſed to make hir a newe face with an artiſciall ſkin, to bee kepte ſtill ſeeming young, with Aſſes milke, was not only loathed while ſhee liued, but may be a ſhame to womē now ſhee is ded. What made the Ladie Claudia of Rome; to bee infamous Clauia, and noted of unchaste living, (forced to purge hir by a wondrouſ ſight, drawing a barge along Tiber by hir ſelle alone) but hir curioſ

Pompeia.

I. iiiij.

curioſ

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rious and neate apparelles what sooner ma-
gleth misrulefullnesse into a zealous head than
frequenting of evill companye, and lasciuious
lighnesse? the Parthian women are forbiddē
to come to any feastes or common meetings.
In Turkie, you shall skarce see through y' year,
a man and a woman to talke openly togi-
ther. The Matrones of Rome, myghte not
drinke, or so much as once syppe of any wint:
Insomuch as Cato the Cesar made an order,
that their kinsfolks shoulde kille them to publie
if they had offendēd, and excepte it were viij.
dayes in childebed, and in time of sicknesse, by
counsel of the Phisition, and once only vpon
every solempne feast day, they myght not breake
the same ordre: in which thre cases only and
no more, the husbande was wonte to psonifie
it vnto the father of the woman at the churche
doore. It was lawfull for the maides of Spar-
ta, to goe with thrise faces vncouered till they
were maried, but after they were once maried,
it was not lawfull. And the same way, in to-
ken that they sought not to please men, but
were wholie contented with the fauoure of
their husbands. But far more severz was that
of Georgius Leontinus, that thought it most
nikeste, that women shoulde alwayes bee kepte
within

within dores. And moste commendable was
the great subiecte of many Roman Matrons,
that made it the uttermost of pleasure, to pur-
chase an honeste name in their owne houses.
Such one was the wife of Flaccus, that du-
ring. viij. yeres þ her husband was at warres
with the Volsci, shee never was seene forth
of the dores, or gasing at the windowes, nor
yet sussted ahye man childe above. viij. yeres
olde to come within herhouse, by the same to
take awaþ all night occasions. þ night groþ
suspicions to her honest name in yea vpon so
great extremitie of passions; he being at lasse
earnestly desirous to see an monstrous man
that was in the streetes, confirmyng it was a-
gainst the intent she before had purposed, not
so much upon cride like that adores, because
there was no wile to bring thyn into her house,
she lost her longing and dyed. Was it not to
be noted vsdator, wifet of Hieron of Syracusa,
being reprehended of her husband, that she ne-
ver warned him of his shunning brash, til his
frends perceivyd it? Ther is no can se good hus-
band (quoth she) that I shold be mislikid, for
I never proued any other mans, but thought
all had bene as yours is. What a praise was
that to Armenia, when her husband asked her Armenia.

Bilia.

J.b.

how

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howe shre lyked Cyrus beaute, when he was
come home to his owne house from a banquet
that shre had made, whom many of the gester
did wonderfully commend : I never turned
mine eyes (sayth shre,) from you my husband,
all the while I was there, and for that cause
cannot I iudge of any but yours . These bee
speciall evidences of sobrietie, chastitie, honest
conuerstation, and besides many lyke notable
presidentes for all women to imitate & fo-
low. For the shal not vniō be never separated,
which ought to be indiuisiblie, the shal not di-
uiselement set all at large, nor any maner dis-
pleasure devide man & wife to dwel asunder.
What greater shame than þ name of an ad-
uertesse? what more villanie þā abed desiked?
Of divorce
mentes. What more greeuous than after many yeeres
passed to ioye on both sides, & many childeř to
increase þ fame, one enormous vice to ouer-
throw þ good estate of both? neyther yet maye
any lawfull policies allowe of þ unlawfull per-
suasio þ hath bewitched many, to think it tol-
lerable to annull or innouate mariage, for a-
ny mislike to be wyoked: for that was hethen
impietie. In Calechar in Asia, they scouse and
change their wiues at every wylle, shall we
chaūge, saith one: speak you in iest or in earnest
saith

faith þ others; By Pollux sayth he again, I fain
not. And ths it is a bargaint, þ divorce is made
& both at new married. In Lichnema a coutry
of Polonia where þ husbandes use chamberfe-
lowes for their wiues, called þ helps of mari-
age, divorces are at all times done by consent
for al causes, & again & again renewed. In ma-
ny places, bartewes & nothing els was þ cause
of divorce ment. For which cause only, Sp. Ser-
vilius put away his wife in Rome . Cicero
was divorced from Terentia, because she was
shrewish & suffered his house to run in decay in
his absence: he put away his secōd wife, because
she reuoyed þ death of Tulliola his daughter,
whom he lamented. Tiberius dared not to be
divorced frō Julia þ daughter of Augustus, but
he departed frō her neuerthelesse to Rhodes. Ju-
lius Caesar being reproved for putting away
Pompeia his wife, bþþo þ slanderisse betwix
Clodius & him, because he would not shew þ oc-
casio: he said, he thought þ same reporte, so de-
ferrue as much as þ crame. And yet more wise-
dom it were, with M. Antonius to kepe cou-
set with Faustine at þ first, than for a man that
once kindled his own harms to continue by the
laſſe: & most þat will point at him sonest of al,
& woxthely, þ incloſſe bþpon every tale or fot-
tis ſurmiſe, wil but at himself, to defame his

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Of Parents
and childre

Of mo-
thers.

honest wife, to vilable his lawfull childe, and to bring discredit on his owne houfe, only to lose the knot that was not made to be vndone, most hatefull, most shameful and too commen now a dayes. In other care consisteth of parents to their children, and the dulce of euerie childe vnto his parents. With the mother they begin to live, the father teacheþ to live well. The mother enfourmeth nature, the father guideth to vertue. The mother breedeth the childe, and the father fashionedeth him to common weale. In which charge of mother, what can leſſe deserue of the childe than Christippas, than to nene him with a ſtrangere. as though nature might ſuffer it, to denie the malke of the breſt to hit owne childe, that to long was carried in hit matrailes and fed in hit womb? as though health be) their pappes wot rather then to beautifie their matrailes, than to abbriche the frutes of their womb, as move bridlemanie, ſome doe ou plasters and medecines as dryp þer matraile, not without great daunger of health, only to thinke the moxe heat to be ſcorne. The ſallage and wilde bridle will not ſuffer to be pouyled of hit young, one with cryes and groaningis ſitteth about þe womanne, to ſetit hit burden if it but once it may adoe: þe woman alone

alone is careless of hir childe: the brutifh creature, that feedes on earth and grasse, is moſte tender and heedfull what may happen to hir young ones, if we doe but ſee the ſteppes of man approaching neere: yet woman can make an vffer ſtranger, the ſtemother of hir childe: the cruell Tiger carieth hir whelpes in the lap of hir bellye, wheresoever ſhe goeth, only woman, moze cruel than the Tiger, ſhunneth to giue ſucke vnto hir childe: the fearefull beare creepeth on hir backe, to come where hir yong ones bee, leaſt the hunter ſhould finde them, by tracke of hir ſoote: only woman ſeeketh to rid hir of hir childe, into y^e vſage of an other: with antiquitie, the mothers brest ſo much deserued, that when ſhe would moft earnestlie craue any thing of hir ſonne ſhe would request it, by the milke that gaue him ſucke: but what auſſwore might their children make them now a dayes, that never tasted of their milke, or put them to any maner care?

They are lyke to the women of Iſeland, that make as much of their little curtes, as of their children, wiſhing rather to lacke the one, than to departe with the other. And well may bee conipared to the ſtraungers, that Julius Cæſar on a time noted in Rome, for carrying apes
and

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and puppie dogges in their armes, asking the
questiō, whether they had no children to dallie
withall . And besides the naturall care that
is requyred in cuerie mother to nurse hit
owne childe , I would the good examples
of such vertuous women as Zenobia, that ins-
tructed hit sonnes hit owne selle in Greeke
and latine, Aurelia and Actia gentlewomen
of Roime . The mothers of Iulius and Au-
gustus Cæsar, that taught their children gram-
mer, might none women, in steede of ribau-
drie and filthie speeches, to teache their chil-
dren, as vertue shoulde dispose them : and in
steede of peacock vanities, that they mosle of
all are pleased with, I would the good ma-
trone Cornelia might be folowed, which bee-
ing the scholemaster, of both Gracchi hit chil-
dren, unto a foolish dame that bragged of hit
landrie laces, hit jewells about hit necke, and
hit new fashion garments, requiring to set
hit iewelles lykewise: Mary (sayth shee) and
here be mine, poynting to ȳ vertuous yonthes
hit children comming from schoole . After hit
mother hath thus done hit parte, then com-
Offathers meth the fathers charge, which mosle men
prescribe at seuen yeeres olde . Nowbeit
the Galles, (sayeth Cæsar) medled not with
them,

them, but the mothers onlie, til they were ready to bee trayned vp to warres : and the Persian women nursed them fyue yeeres out of the fathers sighte, and then they were set to schoole to learne justice and truthe : A people sayeth Plato, none discerning better. For such as youth is at first, they will grow in the common weale.

*Quo semel est imbuta recens, scrupabit odorem,
Testa diu:*

Looke howe the pot first seasoned is,
It sauoureth long thereof.

And therefore King Phillip of Macedon, was not so glad that God had sente him his sonne Alexander, as hee rejoyced that it was in Aristotles tyme, to haue so good a scholemaster for his childe . And Alexander thereof was wonte to say : that of his father he receiued life, and of his master to liue well.

For what force good education wylketh, and howe the same by good discretion may bee holpen, the wisc aunswere of Socrates to the Phisiogromer, þ iudged him leude

by

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by his face, saying, by nature hee was such a one, but by good lessons, he was amended: also the comparison of Licurgus two dogges, one vsed to hunting, the other to lye by the pot side, of cleane contrary conditions, yet both of one litter, but by vse onely differing: and the similitude of the fierce horse that King Alexander by gentle breakings brought to good mannage, which his father King Phillip despaied of, may well declare. Youth is therefore lykened to softe ware, apte to receiuue evrie printe, and must be handled, as one would fill a glasse with a narrewe mouth, by pouring in the water with a pipe by little and liitle, that is, the tender childehood of young im-
pes is most gently to be entreated, even to xiiij. yeeres of age, which is called the age of dis-
cretion, all which time, obedience and good
manners, is in them to be imprinted: but from
thenceforth insolencie and frowardnesse that
beginneth in that age, muste by some sharper
dealing be brideled. For then (sayeth Cicero)
meaning adolescencie, good counsell is neces-
sarie, needfull securtie shuld be vsed, and wil-
fulness of youth must be restrained: the some
commendable crafte of living, as every one is
best inclined, shou'd be exercised. As it was a
lawe

Cicero de
sene etiuc.

latum sollicitum est haec child should not
be charged to succour his fathers age, if he had
not learned him some profitable science in his
youth; then also honest manners and life,
should be the mark of youth shew to all. And
happily the child, whose fortune is bestowed
in good letters, though it do not exceed the posses-
ses of his parents; for the honour of such a child,
is to the father, of what condition so ever he be,
a triumph, and a palmie of victorie. It passeth
the casuall marte of worldly goodes, and only
of all things sets a man at libertie. Whereof
may Prodigie be aduely witnessed to one that
wished him, to provide well for his children,
that they might increase the honor of his stede:
A. for my children (saith he) if they soleme
virtue, which I haue never studid nor teache
them; this little serme blacie, shall bring them
to deserue more; if they proue otherwise let
none thinke that their father will provide no
man to haue the prie: A worthy amanuall of
a Prodigie father. On the contrary si deo volunt
a pittie is that, when wante of godly reparation
shall make the childe to curse the Parents, and
the Parents in their olde age to condemne
them selues: when the childe shall impute all
to the securitie of his licencious breeding, and

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make the foolish pitie of his parents, oftentimes
by cause of his unhappy ende: as one that go-
eth to the gallows, wyling to speake in hys
motheur tyme, bitt the same off with his teeth,
crying out upon hit openly, that hit tolde
openly hym at fyrste to steale small trifles, had
brought hym to be hangyd. And as that of
Augustus; whiche he was wonte to rete out of
Homer, *Coniunctione duxit, natus deinceps*
etiam puerum, I would haue never married wife,
for that I hadde neuer bene troubled with
children: whyche her speaketh by hys shame
helle daughter Itilia, whiche hys sustaunre
at fyre, hadde made a common harlot: as Po-
pilius was the lyke to Marcus hir father: Com-
modus and young Cicero, to both their wile
fathers also, and all for wante of due cha-
ristemente when vnde beganne to frette their
tender youth. For if persuasions nor ex-
hortation may serue, our elders thought it not
*wilfulfull to refuse them. As Socrates am-
bitioned love, that misliked the same in him:*
why (sayth he) is it so great a matter, bycause
this is my sonne, that I shoulde forsake him? do
not we shun spit out the superfluous humors of
Houtstomackes, and ridde vs of the vermine
other breedes in our bodies, and all byt ause it
scrueith

serueth vs to no good purpose at all? as also
Menecclius sayd to his son Clinia in Terēce;

*Ego te manū māntiſſer dicit vobis, dum id quod te
dignum est facias.*
So long and no longer thou shalt my loue be,
As thou behauest thy selfe with honestie.

And therfore it was a law written in the M. Aurelius
ninth table at Rome. VVe commānde cap. 42.

every facher, whiche in opinion of all men
seemeth good, that hee will disherithys
sonne whyche all men doe thinke to be euill.
What god amendment suche necessarie cor-
ruſſion alle worketh oftentimes, experiance
teacheth, as by profeſſion that of Themistocles,
being forlaken of his father, when he was ver-
y young, and diſherted for his lasciuious-
nesse, prodigalitie and disobeditnce, conſide-
ring with him ſelue that he deserved no bet-
ter; and brenging alſamed of his life, and deſi-
rous to amende, he at laſt to religiouſly em-
braced vertue and good manners, ſeeking bys
fathers ſaviour Neeclis, that none deserved
more piaſe, ſeto were to be compared, he be-
came as neceſſary to the common weale as
any other. For when yong men haue meaſu-
red the depth of their owne follies, by ſrule of

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Of maisters
and servants.

chastisement, layde to their dissolute and loue
life, so that they once begin to shame therat,
then will they for loue of vertue be reclaymed
easily to an honest life. The third degree is of
maisters and servantes, for as magistrates are
necessarie to minister justice, so it is requi-
red, that euery houholder & maister of others,
shoulde governe well the state of his owne
house, that servantes therein exercising obedi-
ence, may the rather be submitted to that ge-
nerall condition of publike governement. By
whiche good example of the maister, laid be-
fore his servants, he is oftentimes better serued.

I That is, first of all let him be a presidēt him
selfe, of labour taking, in some kinde of exer-
cise of body or minde: if he be a minister for the
common weale, let him practise his whole stu-
die therepon, so that all conditions may av-
oide idlenesse, þnnecessarie ease and securitie,
yea though they neede not any iote to payre
them selues, for that will make all that are of
his charge, to be carefull: loþters laboures
and the hired servant to deserue his hire, even
for shame, if nothing else. Alphonsus being of
great dignitie, was reproued of Matheus Si-
culus for vsing to be occupied with handy-
worke as vnat for his estate. VVhy (sayth he
smyling)

(smiling at him) hath God and nature gyuen
kings their hands to vse them to do nothing.
As though he should haue said, what wealth
or estimation souer men be vs, let them know
their idle life may not be excused. Secondly
is required in a mayster that moderation of
chastisement, as may be sometimes with gentle
wordes to do more good than with severe
stripes, considering he hath to deale with peo-
ple of a free condition and not bounde, as the
most were in elder times, not only of feracie
nature, but of most hatefull manners, such as
sought the bitter destruction of their masters
in Asia, the ouerthrowe of all the conuict
weale in Rome, the extirpation of all good
lawes among the Volscianes in Caria, so
that no private house wanted not in them-
selves. And al goeth commonly to wrocke,
where seruaantes do more for feare than for
any good motions that they haue of lone to do
well. Thirdly, in maisters is required, that
they besuche in manners and conversation, as
they may not iustly see the very offence of
their owne people, whose bare example need
not be more than the faulte, vnto copy
amples sake. Of which Diogenes speaking,
thought he them not fitte to take the charge of

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others, that were overcharged with their own afflictions.

4. Insfourthly, it perteyneth to every householder, to be a schollermaister and a iudge in his owne house, to teache and iustruict them vnto heurtur that are under him, and to set quiete and peace amongst all them that are of one house. The want whereof, as is said before, was in Philip and Gorgias condemned of the Greeks. For he which will not iugre of iuries among his owne, may him selfe be damased; and he that suffreth lewde people in his house, may be afayd of many mischieves whē

Of seruants. he is abroade. Last of all, let the seruauntes carefully attende, and be obedient vnto theyr misters, without disperaging the state of their wealthe and tranquilitie: let them be honest secretaries and trustie friends, let them not saye in needfull causes. For whose example,

Of bondmen. I neede no more but compare some of the seruile people that I speake of before, as iutitors to the hired seruants of our age, beeynge vnyl slaves and bondmen, without any hope of freedome. Whē C. Portius Plancus of Rome, being outlawed by the Triumviri and lurking in a village neare Salernum, was sought for by his souldours, his slaves being threat-

ned and miserably us'd with tormentes to be
try their master, would never disclose him
till Placcus came to the and needed his life
to deliue the poore wretches from torture. M.
Antonius, beeing accused of incest before the
judge, and his seruant that lighted him by fagg
ole examined, whipped, set on the wheele and
racked, and with scalding torches halfe burn
ed, would never yet accuse his master. Mbe,
the saime M. Antonius was subdued of Octavi
anus, he commaundered Erotes his seruant, to
thrust him through with his sword, but he so
loued his master, that seeming to strike hym,
he thrust it into his owne body. When Capio
was condemned for conspiring against Au
gustus, his seruant put him in a chest, and by
night conuoyed him to Naples, but by no ma
ner violence coulde bee compelled to utter
where his master was. As Appion on a time
was besieged where he layt, of his enimies
that came to kill hym, he had a seruant that
put on his masters clothes, and laide him in
his place to save his masters life. Innum
erate the lyke examples to shew menne to due
tie, where duetie is required, and may well
note such maisters to have well deserued
without violence or wrong doing to such.

K. iiiij.

as

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as leved with Angleſt and faineſſe ſuffered.
Finally then, a Youſcholter by whom ther
monweale beganneth to be peopled, purpoſ-
sing his dutie this; as he is a husband, a latyf
and a maister, no doubt will be eaſily tray-
ned to that ſociety and neyghborthoođe that
gethers of comon weale, and maketh de-
grees of government by good conſideration
only, yea though chaff lawes were not, ney-
ther regimēt compelled therunto. Of which
ſocietieſ, as they orderly folowe the priuate
being of houſtholdeſ, and are the ſeconde
ſplendor of that roote, even vertue, that began
the publike weale, ſhall be ſhewed in the next
Chapter.

CHAP. 8.

Of ſocietieſ, fellowſhips and neyghborhood:
for ciuitie, friendſhippe and publike
weale.



Wileord in his Offices, setting
forth that men ſit compa-
ny of nature, whiche toucheth
all men alike to be of one ſo-
ciety & fellowſhip, It is more
proper

proper (sayth he) to be of one nation and language: and more than that, to be of one towne or citie: and thirdly to be of the same bloud and kinredē: and not the least of all is that which the similitude of honest thanners maketh. To bee familiar friends, these fourē he chiefly noteth. The first made Sition y Greke. The societie to aduenture him selfe, and to teare his fleshes, of one coun-
try. to betray the Troyans, rather than his countrey. Sion.
Greekes shoulde lose their honor. The same
made Zopirus to mangle his face, to cutte off Zopyrus.
nose, lippes and eares, to make the Assyrians a
pray to the king of Persia. The same made Themistocles
Themistocles to write his letters out of exile
to Athens, that although he myght perchappes
imagine treason, to get the gouernemente of
strangiers, yet to hurt his countrey, he woulde
never bee a traitor: and therefore as soone as
Xerxes woulde make him of his councell, to
warre vpon Athens, he povsoned him selfe.
The same made Alcibiades, though twice he
was banished, to write home to his countrey,
of all the perilles that he heard of towardes
them. And the same made Regulus to returne
with violence vnto Carthage, to suffer death,
that Rome myght lose no honor. The seconde, The societie
to be of one towne, is that whiche one custome, of one towne,

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privilege or freedome, bathe by policies unites to be one body. Which franchised places haue ever bin of that dignitie for civil government and laudable living, that the noblest Dukes that were, haue desired to be incorporate to their liberties : as Hercules and Alexander, that were burgesses of Corinth; the Lords of Xerxes court, that woulde compound with Athens; the territories of the people about Rome, that so honored their freedoms, that they sued to be but tributaries there unto: and divers other of many renowned cities. In whyche grauntes they tooke so great aduice, as none was easilly receyued to bee free, and fewe that were straungers coulde bee hearde, for feare of hurting they freedoms by the singularitie that sometimes creepeth in with new friendes. Cato beeynge but a chylde of sixteene yeeres olde, woulde neyther by fayre meanes nor foul, be intreated of the latine legates to intercede to hys bnele Drusus, to make them free in Rome.

Cato.

Cesar.

Wh^e Liuia the wife of Augustus Caesar, most earnestly requested to haue a Gall admitted into Rome, he aunsweread flatly, that he woulde rather pardon the Gall his tributes out of hys owne coffers, than the freedome of

the

the citie shoulde bee ouercommon to straungers. But the Venetians will receyue Venetians. none at all that is a straunger, at leastwise; he shall never be put in office: whiche dayly ex-
perience by froward foreiners in many worthy places may note to come of great discretion.
In such ciuill societies of one towne, each de-
gree likt wise was duely made of: suche as by
wisedome, good moderation, vertuous ende-
ours and knowledge, deserued of the com-
mon weale, were with one consent of all men
worshipped and reverenced with honest de-
meanor: and suche as were obedient to lawes
and policies, and carefull to preferre honestie
and justice in all their mysteries and occupa- Degrees of estimation,
tions, were reputed ciuill, and with that pre-
ferment only, were very well contented: digni-
tacie was not ballanced by birth: estimation
rayned not in riches: credite came not of con-
tinuance: to bee a gentleman, to bee a riche
man, to bee an elder, without vertue, without
wisedome, without experience or knowledge,
were counted bare bragges, supercilious
sutes, and a naked nothing, to bring a man to
dignitacie, estimation, or credite. Of such
sayd Diogenes: Bragnesse of noble paren- Diogenes'
tage, and enhauncementes of fortune, are
most

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most commonly clokes, to couer yll conditi-
ons. For may not that be sayd to many which
caille at their Peacockes feathers of vayn glo-
ry? which Cicero sayde by Antony and Catel-
line; *Non sunt tām genere insignes, quām vītijs*
nobiles, The prowde gentleme are not so no-
ble of birth, as notably naught. And may it
not be fustly sayd of many, which he hathe in
another place, of such as degenerate? *O domus*
antiqua, heu, quām dispari dominare domino? O
ancient house of great antiquitie, how far vn-
like is the owner to his ancient predecessors?
yeo do not the most of such folly felowes, that
would build vpon bragnesse, deserve that Ci-
cero said to Salust, which facing out his stocke
and kinrede, made an vpstart of Cicero, as it
were wanting birth and cōtinuance to proue
his gētrie. I (saith Cicero). reioyce, that in me
the memorie of myne auncestors is reuiued,
but thou mayest be ashamed, by thy vile life,
so to obscure thy friendes, that were re-
nowned Cithens: And bragge not of
thy birthe to nice, for better it is by my de-
sertes to make an entraunce for my poste-
ritie, than the fame of thy auncestors to
make an ende in thee. And therefore Plato
of nobilitie, describing nobilitie by degrees, one of them,
whos

Antonius.
Cateline.

Offic. I.

Plato.

ſoare kyndg make an ende in thee. And therefore Plato
of nobilitie, describing nobilitie by degrees, one of them,

whose auncestors were good menne : another of them, whose auncestors had governed the common weale : the third of them whose auncestors were famous for their victories, denieth not, but such are taken to be noble men or gentlemanē for these discents from their auncestors : but saith he, the fourth sort is of them, that by their vertue and good gifts are nobilitate by them selues : and these he calleth, verē nobiles, noble men indeede, without y claine of pedigree. So Seneca ad Lucilium, non fuit Socrates patricius, non eques Roma, bunc tamen & Platonem philosophū, virtus non claros accepit, sed nobiles reddidit : Socrates was neyther esquier nor gentleman in Rome, and though neyther he nor Plato were borne to worship, yet their vertues had made them noble. So was Cato Censorius for his good gouernement had in honor though he were borne at Tuscu-
lane of a small inheritance. And so was Cicero called Pater Patriæ, though of long time by s linage was obscured. And yet no doubt, the good desenttes of many are so hard digested of the vile and churlish sorte, as well may be verifid that of Cicero against y ingratitude of the Romanies, saying: O how foolish a thyng it is, and labour lost, to study to doe well a-

Seneca ad Lu-
ciliū.

Cato.
Cicero.

mong

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mong ignorant and rude people that haue
not understanding? for their nature is com-
monly to contemne such as they are not able
to matche in wisedome and good qualities,
and to like none but such as are of the same
condition. In this same second kind of socie-
tie of one townt, is also concluded another
Priuate soci- more peculiar condition of brotherhoodes, as
ties.
they are termed, that also practise common
weale by their priuate constitutions, whiche is,
of al maner artificers & occupations that are
within one towne, to further publike govern-
ment: wherof sayth Aristotle: All peculiar fe-
lowships be as it were members of civill soci-
etie. For (saith he) as common vtilitie gath-
ereth menne into one company of one citie or
towne, to bee all of one priuilege togither: so
all other fellowships haue their proper cause
of commodities, which is the last end that the
study of common weale and care of gouerne-
ment doth tend vnto. In which degree of fe-
lowship, men are more firmly reduced to be
one, through often cōference in that they come
more neare thereby to exercise the same last
end of common weale, so that the firste is not
in any wise to be impugned by securitie. The
third kind of societie, is of kinrede and alliance

Arist. eth. 8.

Societie of
kinrede.

which

whiche so strongly worketh in men, that nothing can be moze to make enimies friends, & to unite all in one, which as it is the strength of families, so neythelesse by intermarriage oftentimes is practised y spoyle of the common weale. As Pompey fearing he shoulde never Pompey,
be Cōſul of Rome, except he myght haue Catō
lunior on his ſide, he was an earnest ſuter to
marrie his daughter, as the next way to win
his purpose. Which y wile Catō forſeiting on Catō,
the other ſide, of what force affinitie myght be,
and what was his intent, made anſwere, that
he was not to be catched of women, neyther
wold he giue any ſuch pledge againſt y com-
mon weale. After whiche repulſe, having to
practise with Cæſar, and being maried to hyß Cæſar.
daughter, it is incrediblē what effeſt it had.
For albeit ſuch emulatiōn was betweene thē,
as it was impoſſible they ſhould agree, when
the one woule be inferior to no body, and y
other woule haue no equall: yet ſo long as
Pompeys wile liued, y fire of diſcord was ra-
ked, y after burst out to peremptorie malice &
mortall wars, which was y cauſe of Pompeys
death. Eue ſo y Romans in aying y yōg wo-
mē of y Sabines, was the way to qualifie their
fathers wrath, or else Rome had bin aduentured.

The

The Safegarde

Societie of
frendes.

Ethic. 8.

De amicitia.

Dion.

The fourth degree is of friēdship; not in flatteryng speeches or guylefull confederacies to solicite euill causes, but in that familiaritie, which by vertuous conditions & similitudes of honest manners maketh men to be all one, and onē to loue and delight in the other, so that is true friend ship indeede. As that of Scipio and Lælius: of Orestes and Pylades: of Damon and Pythias, whose friend ship was of vertue, and for nothing at all to be remoued, it was so constant and sure. Of whiche friend ship it is, that Aristotle speaketh, calling it the very chaine and bond of the common weale, beyng of opinion in the same place, that the first makers of lawes, did respect the same more than the studie of justice, his reason is bycause if all men were friends one vnto another, shē what shuld neede to execute justice? for none would do injurie, for friēdships sake, taking the same for law, that Cicero speaketh of; men that are friends in deede, will neyther do, nor wish to be done any thing that is vnlawfull or vnhonest, beeing euermore affected soundly, and without tealousie: as Dion, when one tolde him, that Calixtus his friende wente about to espire his death, he wold not rashly consider hym, but aunswere, I had rather die my selfe, than

than not onlie to stande in feare of mine enimies, bee also to mistrust my frendes racharde, full to keepe them as Simonides, that being, asked why he was so carefull of riches in his latter times? gave answer, He had rather dying leane unto his enemies, than living to lacke for his frendes, abhoyting all ingratitude: As Simonides most obvious it was in Brutus & Herennius. Ingratitude
Brutus.
Herennius. What could more pynche the conscience of Brutus, hausing conspired the death of Iulius Cæsar, who loued him so: entirly & brewhim as his sonne, being thought of many to bee his sonne indeed, than that of Cæsar crying out on his ingratitude, being hys dead with the daengers in his sides: *Brutus, filii, fili, quid facis?* O Brutus my sonne, my sonne, what is this thou doest? Was not the ingratitude of Herennius most bothome, to betray Cicero unto drath, who somer time had saued his life? But wyl of all ur frendship, is that of Isocrates to be mos: Isocrates. Now that every man shal first learne of what medye they are with godly men whiche they wblde be familiar withall: For doubtless such as a man doeth iphe himself unto, both will be vs accompled: beloves that, when the comon weale suffereth of anye suche infamous persons, their frendes can not alwayes be with-

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Aristippus.

Cap. 8.

out rebukt . And therefore Aristippus was wonderto say, nothing was so out of order among men, as that in buying and selling they should secke narrowlie the goodness of euerie trifle, and yet had no care to examine the conuersation of such as they meant to acquainte themselves withall . Wherefore M . Aurelius reasoning with the masters of his young sonne, whome hee chose to bee as frendes unto him , citeth in the same place Aristippus Philosopher in tyme of Marius and Silla; that lykened a truffie frende to a god horse in qualties : First that a frend shoulde haue a little head, that is, humble conuersation : then quicke of hearing, to come at a call: a softe mouth, to be temperate of his tongue: a hard herte, to goe at neede : to treade open, to do good: his feete sure, to continue in frendship: a bay colour, to be of good repose: to turne with the biddle, to bee tractable: and to be without curbe, yee may goe where soeuer the raynes offortune leadeth. And finally hee compareth frendes to the Mulberie trees, that lying forth berries at such times as they feare not the frostes of May, as vines doe, nor yet the mistles of October, as the quinces and peaches doe : even so (sayeth hee) true frendes come

come not when prosperitie fauouresh, and bee
gone agayne as soone as fortune frowneth.
These be the fourre principall societies that Ci-
cero speakeþ of, whiche being rightlie conside-
red, may helpe much to ciuill gouernement.
And now that both the morall course of mans
lfe, and also the priuate state of euerye mans
house, and in this last chapter, the right obser-
uation of societies, as the same by philosophie
lessons may bee noted, are by themselues set
forth, being of themselves sufficient to com-
memore common wcale, if every man by vertue
only woulde bee learned without policie of
lawes to embrace the same: It remayneth
for want of that good and vertuous dispositi-
on in all degrees, þ we begin againe, at that
division of common wcale, consisting of Ma-
gistrates and commissars, spoke of in the fourth
chapter, howe lawes and gouernment haue
vermoe practised in the same, to set forth the
dutie of all degrees, as out of Aristotle was
also proued in the same chapter. And because
none can be a good Magistrate, before he hath
put on the vesture of a common person, & none
can rule well before he hath exercised to obey,
it is requisite first to speake of the common
sorte.

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CHAP. 9.

Of the dutie of euery common person, and
many circumstancess perteyning to that de-
gree.

SHe common people is called a monstrous beast with manye
heades, resembled to the fearefull Hydra; that no sooner lo-
seth one head, but an other groweth vp in his place: noted to be still waver-
ring and inconstant, as the proverbe is: *scin-
ditur in contrarium semper instabile vulnus*:
The common sorte is alwayes readie to bee
chaunged from contrarie to contrarie. And De-
mostenes noting their ingratitude, com-
pareth them to the unluckie Howlet, and the
Dragon: fixing his eyes on the Tower of
Pallas; and lifting vp his handes, when he de-
parted out of Athens into exile, saying: O Pal-
las, Ladie of Cities, why hast thou delight in
three most unluckie brastes of the worlde? the
Howlet, the Dragon, & the people? for these
causes, the wise and sage Philosophers inno-
ted policies, and thereupon the prudent go-
vernours founded all their lawes, euen to cor-
rect

Dimosthe-
nes.

reft inhumanitie, concluding all behaviour,
wholly to be examined by the state of the com-
mon weale: the partes whereof are muuall
loue, concorde and tractable facilitie, byto ho-
nest lawes. For of pietie and weale publike,
is spoken before in the v. chapter. And of the
first parte, how all good men will endeuour
to live in loue and concorde, being the only
restorative of all decayes, that malice of man
inuenteth to sucke the common weale, begin Of concord.
with that of Nicippa to his sonnes, lyng him
selfe at the poynte of death, *Concordia parue
res crescunt, discordia magna dilabuntur,* wher Nicippus.
men agree, small things are easely made great:
where variance & discord reaigneth, the grea-
test wealth that is shall soone bee brought to
nothing. As well considered, the olde father
Scilurus, looking still to dye, and tending the
hope of his children that he shuld leauē behinde
him, whē he called his two sonnes before him, Scilurus.
to see a similitude, by coparing a fagot of so
many twigs fast bound in one, to the knot of
friendship̄ ought to be between brothers and
neighbours, making all his sonnes one by one,
to trye if they could pul out y sticks, & part the
same, which they could not easelie doe. Where-
fore to shew them a example, by violent force

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he wylled out but one sticke of the fagot, and it
was easie to pull out all: he cut tha with that
tyed them, and all fell alimber. So my sonnes
(sayth hee,) if the least or youngest of you de-
Of discord cline from the rest, or if you dissolve the
bonde of nature and good lyking, through
warbling and contention, you are all vndon.
The common weale is also defined, an e-
uerlasting bodie, that never dyeth so long as
the people agree, not procuring by violence
their owne destruction. What was the de-
caye of Rome but ciuill dissencion, the am-
bition of Cuinas: the singularitie of Silla, and
the crueltie of Marius? What priuie grud-
ges, mutinies, and partakings were, by the
falling out of Julius Cæsar and Pompey: that
harde it was, in all the Citie one to know his
friend from his foe? And what greater mis-
erie can hap, than for two mens causes a whole
towne or Citie to bee on vprore, to bee de-
vided among themselves, and to drawe con-
trarie wayres, one to an others destruction? the
ambitious stomackes of one will haue no ex-
quall: the contrary of an other will haue no
markeste: the aspiring minde never likeli-
bis estate: the disorderred sorte would haue
no government: the ariche disdaynes the
poore:

Cuinas.

Silla.

Marius.

Cæsar.

Pompey.

pouer : the ignoraunte, the wise : the com-
moner, the magistrate : and the most parte
would haue all to bee set at libertie. One
maketh comparisons, an other caryeth tales,
and none repineth not to see an other prosper.
I will cite but two examples, the one of a
Roman, the other of a Lacedemon, and both
arguynge a reasonable concorde of the com-
mon sorte vnto their governours. When the
communaltie of Rome, and the chiefe Bur-
geses called *patres conscripti*, wer at variance,
Meneuius Agrippa made an oration. On a time (quoth he) whē y parts of man did not a-
gree, but every member folowed his owne
will, and exclaime against the belly, that it
had all the pleasure, and liued only by their
travail, they concluded to rebell, and that
neyther the handes shoulde reach meate, mouth
shoulde eate it, nor throat shoulde smalldow
it, meaning thereby to tame the belly : So
not only the belly, but every member, by this
meanes began to sterke, till they were recon-
ciled againe. Which similitude so entred in-
to their hartes, to imagine what inconuenien-
ces might arise by their dissētion, y the Romas
soorthwith cōsented to be all at peace togither.
The other is, of Agis vnto the Lacedemons.

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Plutarch.
in vita.

If happened (sayeth hee) that the tayle of the
Serpent rayled sedition against the head, con-
sirring that he might an other while haue rule
of the bodie, and not alwayes to bee ruled of
the head. Which being graunted, what folo-
wed? the head following the tayle that had no
eyes, both were cleane destroyed. In the first
appeareth how daungerous it is to dissent fro
those that are in authoritie: In the second it is
plaine what peril followeth by the vnbridled
wyl of the common sorte, that wold rule and
not be ruled. Licurgus therefore concludeth:

Licurgus.

Affections
enemies
to concord

what affec-
tions bee.

Four prin-
cipal affec-
tions.

there is no way so safe to be out of feare of en-
nemis, as neighbours to agree togither. And
then the onlie rule to comend concord, is every
man to qualifie the affectes and perturbations
of his minde, that disable him to be gouerned
by himselfe, or els by the counsell of others:
Which bee of Cicero deuided, motions of the
minde eyther boyd of reason, or despising rea-
son; or els not contented to obey reason: which
motions (sayeth hee) are first caused through
an opinion of good or evill, but suche opinions
as deceare many. Of which perturbations bee
thiesely noted fourre, two that seeme to come
of a good opinion, that is, pleasure immoderat
e lust or desire unlawful: & two, yis frate in-
gen-

gēdred of an opinio[n] of imminent perill & p[er]ilnesse, being caused by opinion of daunger euer to be feareed; doe bere the minde with imagination of euil. Under immoderate pleasure, are comprehended all euil delights, wishing other mens hartes, bragging and facsing, and therein taking pleasure: under lust and desire are cōcluded anger, malice, a minde alwayes coueting, a stomack euer to reuege, enuie, and fleshly lust: to fear do belong al dastard & daf-fish folisynesse, all hartelesse motions & seruile bondage of them that dare not or will not for feare or slouth defende a right: to pensiuenesse perteyne, all that is called egriude, disdainc of others, grudging an others commodities, iealousie, foolish pitie, sorrow, superfluous care and dispaire. And to one of these may bee referred wharsocuer is to be dispraised and reprooued in any degree of people. Of which we may principally note a fewe, that deserue to be condemned in all them that will merite an honeste name in the common weale.

The first are tongue trauellers, of slaunderous speeches, shameful diffamations, uncom-
tongue.
ly tautes, flatterie, backbiting, dissimulation
and such lyke, that disclose the affections of a
rankred nature, neyther honest, nor well ma-

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ited. God & nature, (sayth the Philosophet,) bath made vs. ij. eyes, &c. ij. ears, and but one tongue, and that to heare and to see double, or more so much as we need to speake. The same is walled in with hard teeth, because we shuld

Pithagoras. not overshoote our selues in words. Pithagoras learned his schollers silence first of all for

six yeeres before they might speak, and all to note that we must be aduised before we talk.

Cato. Cato to them that reproved his stilnesse & few wordes, I wil speake (saith he) all that is not meete to be unspoken, and no more. Some doo set before vs the good imitation of the Geese, that flying Westward in the time of heat, ouer the Mountaine Taurus, they holde stones fast in their billes to kepe them from making noyse, for feare of the rauenous Eagles, which daunger being once passed, they crye boldly all the way : so (say they) it is a point of great discretion, to be silent among babbling persons, and besides that, to speake with oportunitie, according to that which Cato aunswereid: And to all such as would be heard aboue the rest, and are never well but carrying newes, to make debate and to sowe slander, would Pithagoras lawe bee givien, not for fyue yeeres, but for euer, or els the flappe of their mouthes,

mouthes to bee made shouter . They would
bee rewarded with that which Ptolome Ptolomeus.
gaue Zoylus for his rayling commentaries,
even to bee punished for the booke hee gaue
him: or els to be requited as Memnon did his
Soldiour that rayled on King Alexander Alexander.
behinde his backe, even to bee broched on his
speare . For what mischiefe ensueteth not of
babling tales, false reportes, and cloked pick-
thankes ? Upon light and hasty credit, and
for wante of good advise, the honestie, the
wealthe and lyfe of many is estsones put
in aduenture : Pea and suche beginnings
hang never ende, till they turne to fall on
his necke that first offended, as Chilo sayth: Chilo.
By euil talke wee doe many tymes forge e-
vidence of others to endite our selues. For
the maladie of euill speaking, with repen-
taunce is kindly recompensed. As M. Cicero
threatened Salust, that inueighed agaynst him,
his wife & his daughters honestie with mosse
shamefull words if thou delight in slauders,
(saith Cicero,) thou art lyke to lose thy spouse,
by hearing as bad agayne. And as þ of Sene-
ca, *Emicunt voces peringulos sepe reddituras,* Some
are so liberall oftentimes of their words, that
they returne backe by their throtes, as who
would

Cicero.
Salust.

Senera.

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Of busie
Lawiers.

Homer.

Aristophon

should say, it may cost them their liues. And to such as wil be carping and taunting at others, not respecting the side of Aesopes wallet that hangeth on their backes, in which their owne faultes are folded, what can bee sayde more than that of Cicero to Salust, saying: *Carcere debet omni vitio, qui in alterum dñe
paratus est,* he should bee faultlesse in all, that will be facing at an other. In other sorte of busie makebates there are, and quarell finders, ever practising to sowe discord, to stir men to the lawe, and to appeale their neigbours for every light occasion, only to awaite displeasure, making their occupations not so muche for gaynes, as to be auenged on him that loueth quietnesse. Which sorte of complainants should haue the fauour that Homer telleth in his Iliades 'was shewed vnto Mars when he came to Jupiter with his plainte against Diomedes that had wounded him verye sore, on whom Jupiter looking with a sterne countenance, I would thou knewest (sayth he) that of all the company of heaven I can worke away with thy condicions, delighting still in complayning, quarelling, and making strife. It was not any praise to Aristophon, when he bragged what god happe he had alwayes,

in all his causes, being never overcome at lawe. But it was a singular commendation to Cephalus, whē he gloriēd that he never had to doe with courte or cause. Aristophon was wont to boaste that 95. times he was in trouble, and yef was never castis in anye matter. But Cephalus rejoyced, that hauing written as many decades as any proctor of his time, he was never forced to pleade one cause of his owne: thinking it more to bee never accused, than to be clerid by a verditte. For it is hardē in any cause so to bee acquited of the paine, but the crimie will keepe his skarre. In which degree of concord, a right good example is that of Aristippus and Aeschines, to moue men to tolerate iniuries sometimes, and to bee reconciled by themselves in causes of debate. For being both fallen out, and at variance, when a makebate mocked at Aristippus saying: where is now your great frenſhip with Aeschines become? as one that remembred it was a iust rebuke for a light quarrell: Mary (saith hee,) it is asleepe yet, but I will make it againe. And therewithall came by and by to Aeschines on this maner: How long shall wee bee at this pointe, shal we not without any more adoe be made frenſ of betweene our selues, but make

Cephalus.

Of reconciling frenſdes.

Aristippus.
Aeschines.

The Safegarde

a matter for every knave on his ale benche to
prise of our falling out? And Aeschines
considering as wisely thereof also, was con-
tent it shuld be so: but yet remeber quoth Ari-
stippus, I am your elder, and yet I first sub-
mitted my selfe. True it is sayd Aeschines,
thou arte the honester man, insomuche as all
began of mee, and thou arte contented so to
make an ende. A good lesson of humilitie
in Aristippus, for them that thinke it much a-
gainste their wisedome or credite, to offer
peace and quietnesse, because they be the bet-
ter of reputation, the elder, the richer and
more able to bee enen for an evill turne; not
respecting that such persons shall be leaste of
all esteemed for their light behauour. An o-
ther enemy of concorde, is that monstrous e-
vil of enuie, whiche the Poets faine to bee ha-
ted and emulation, one of the spitesfull furis
and ghaſtlike hagges of hell, that eateth ser-
pentes for hit meate, and belcheth venim out
againſt: noting howe envious persons doe
swallow one poyson and ſpelte out an other.
For what may be more monſtrous than one
man to reioyce at an others harmes, and to
bee tormentēd with pining grieſes to ſee
any thing chaunge to good? as well noted

Of enuie.

Agis,

Agis, when he was tolde of one that enuyed him and his posteritie : no force (sayth he) the barme will bee his and not mine. For boþ his owne euill happe, and my good fortune shal put him to payne : alluding to that of Horace : *Invidus alterius rebus macrescit opinis.*

Agis.

The eniuious plies awaie in hate,
To see an others happy state.

And therfore sayth Antisthenes, Eniuie Antisthenes gnaweth and consymeth the eniuious man, even as the rust & canker fretteth iron. Whose vgly anatomie a certayne Poet describeth on this wise,

Pallor in ore sedet, macies in corpore toto. &c.
His face is pale, his corple is leane,
His eyes are dimme of sight,
His teeth doe rust, his breath doth stinke,
His tongue is pouyned quight.
He never laughes, unlesse it be
when other men doe weape:
He troubled is at others ioyes,
That I karre he takes his sleepe.
And other men he blames apace,
And they at him doe chide.
And thus himself he doeth torment,
And paine doth still abide.

Suche was the eniuie of Themistocles, Themisto-
who greeued so much to see Milciades honored les.
for his conquest at Marathea, þ he could take no
quiet

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quiet rest: and being asked the cause thereto,
he answered, Meliades it semper would not
let him sleep. So full of serpentine spight
was Timon of Athens, that having a big tree
in his Orchard that divers had hanged them-
selues upon, and minding for necessary oc-
casion to cut it downe, onlye to discharge his
poisoned rancke, he made proclamation before
hand to exhort all that were so disposed, to
make hale while the tree was standing, so long
he was to save any mans life thereby. What
The cau-
ses of envy
should bee þ cause of enuy, it is plain also: some
for vertue and knowledge, are envied of the
leude and ignorant: Some for their birth and
prowes, are envied of the abilitie: Some
of very pride and insolent behaviour, would
be compared to none: some disdaining thorum
pouertie, hate all that are welthe: The good
are hated of the evill, because they are good, and
the wicked bites the lip to see the honest pro-
per and the rancke churke that wantes under-
standing, grudges at everye one of excellent
qualities. When Hermodorus was banished
out of Ephesus, did not many of the citie con-
fesse, it was because hee was envied almost of
all for his good deserkes? The third affect, that
troubleth concord, is anger and hastie choleric
which

Hermodo-
rus.

which kindleth most basely fury in men, the danger.
 more to be abhorred, in that it bewrayeth their
 weakness, and also bableth the person to bee
 made ignominie. For it sheweth to come of
 imbecillite, in that the sickle are more stro-
 ward than the whole: women more bath-
 full than men: age swifter angry than youth:
 and the vryest wretched of all more blamable,
 than the riche and fortunate. It is also more
 odious, in that it abideth no man, but open-
 keth out to merciless cruelty, bringing in
 malice, sorrow, reperciante and punishment.
 Alexander in his wrath sente Olaus his
 olde father, one of his counsell, unto him
 mangy to him selfe agayne, he tooke the bowe
 out of his wondre, and had not his garded
 at hand, he would to shewe he had riad him
 selfe. Dionysius going to the tennis play, and
 deliuering the palaunds swoop to keele, one
 saffroner by chance of fortun to be drake committ
 his syre into the boord garbo: and bicabell the
 boy smyleth at his quarell, in his rage he hit
 led them boord: his splendor for making sicke a
 meane, his daunger as it were for taking of the
 same. But after his anger was coold, it
 was his conindall grise unto his deathe.
 Cr. Piso gaue a charge in the corde, that if a-
Alexander.
Dionysius.
Piso.

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my f^t spoldions went forth without his mate,
his felow that tарьed behinde, shold dye for
it, as well as if he had slayne him. A spoldion
our went forth, his mate desired leane to leke
him, it was demyed, and comandemente
was givyn to þ Capitayne, to put the other to
deth; by and by he that went forth, was seene
commynge a farre off, the Capitaine stayed the
execucion, and brought both before Piso; but
he blyssing in anger to see his lawe broken,
Without hearing the case, made all thare mat
scrutynge to dye, one, because he was by order
condemned, the other, because he was author
of his death, and the Capitayne, for not obey-
ing the charge: A bloudy discharge of sholler,
and a thing that made him compleyne even
to his last ende. Against which intollerable e-
nuff, Athenodorus having leane to depart the
Emperour Augustus Court, he gaue this rule
to be practised: To þ Emperor (þer to he) in the
heat of thyng anges never say noȝ do any
thing till thou haue layde on thy fingers aboues
the 24. Breke letters backwarde, and for-
ward, meaning that to bridle sholler for the
tyme, with some imagination of an other
thing, was the way to forget furie, and to over-
pass the heate of wrath, whiche otherwise
would

Athenodorus
lefte Augsbur
anger.

woulde practise violence, till it be accompani-
ed with shame, sorrowe and repentaunce. The
like in manner was that of Architas Taren-
tius, when his seruante had offended hym,
saying, *Punire me nunc, nisi iratus essem,* I
woulde by and by correct thee indeede, if I
were not angry. Finally, agaynst evill spea-
king, envy and wrath, wee may set sobrietie,
loue and patience, whiche detraffeth no booyes
good name, nor dissembleth with any, nor yet
delightes in bayne speeches that causeth quar-
rells, doyng good to all, and suffering what-
soever may be to preserue honestie and loue, by
imitation of the good physician that falleth not
out of his patience, because he is informed,
but practiseth to cure him by his counsells so
that man shoulde heare, as though the syne
shoulde serue that hymselfe must haue the syne,
and to consider the case of another for his owne
example only, counting it for reuenge suffici-
ente to escape the lyke perill of his enemis.

All mischeuous themic to concorde also, Contentious
are the odious comparisons of suche as con- comparisons.
tende for theyr private mysteries, one ad-
nulling and defacing, or else inueyghting
agaynst anotheres dowyngs. As that of the
two Painteris Zeuxis and Parrhasius, wha
was

Architas.

Of sobrietie
to be hild.

The Safegarde

was the better workeman: likewise of Megabizes reproued of Apelles and his prettis, for his busie meddling with their science, wherin he had no knowledge: as also of the foolish Shoemaker, that woulde correct not onely the shooe; but the pictures hose: and that of Minnacus the smith, that woulde teache Stratonicus better musick, forgetting that it was a poynt above his hammers: with many such like, of dayly experience, that will be carding, medling, synding fault, and embracing other mens qualites, of a very humour onely that they haue it to stirre strife, and to make friendes illike, the meane whyle bewraying ignorant vaine ignorance, by the most scattred geare, and slighted said.

Here might be noted also, the honest de-
livering of right conuictioun of verious
and chach persons to be frequented in all they
occupations, withoute that greedy desire of
gaynes by unlawfull meanes, by disceypt, oppo-
berie, pollax, cloaked theft, or as they call it,
borow stealing of bankruptes, and thens
shoppes, that gather mens goodes into they
hands, to be after prised upon a newe agree-
ment: and mercilesse usurpers of corrupt bar-
gaining, and pawnemasters, that haue the
whole

Of banke-
ruptes.

Wlaters.

whole commodities of other mens laboures
trauelles. But somewhat thereof is sayd be-
fore Cap. 6. onely note I the commendable
example of Cornelius Nepos, of suchē dis-
crete manners and moderation, that none in
Rome did not fauour hym, commende hym,
and honor hym, for his integritie of lyuing
and god behaviour, being euermore equally
trusted and lyked, euē of extreme ene-
mies, as in that greate contention of Cicero
and Salust, he was of neyther parte suspected
to be partiall, but so indifferently beloued of
both, as bee myghte safelie be familiar with
both, withoute any kynde of ielousie or misli-
king. And to be suchē a one is to be estee-
med happie of all other. The lyke we reade
of Cato, for hys sounde and upright dealing
withall menne, to be of suchē credite, that it
came to be a proverbe in Rome: I woulde
not beleue it, though Cato spake it; a spontane-
repose lykewise, of a iust and true man in
hys worde and deeede. Besydes these points
of behaviour, there is also a difference of the
age and tymes of mennes to be discerned, that
honest ciuittie and godly characteris, may
have their course, by that Decorum, which be-
seemeth eache degree in divers kyndes, and

Cato.

The diffe-
rence of ages

The Safegarde

Specially in the priuate and common booke of
people. For so shall youth doe nothing, that
may reper his tiper yeeres, neyther shall age
ashame his heade. Of which Decorum, so ma-
ny as haue wriuen, do diversly deſcire of the
circumſtance of yeeres: As Plato that deter-
mined the life of man to be of fourescore yeeres
and one: Solon of fourſcore and no more:
ſome other of threescore and fifteen: and the
Pitbagoreans of threescore and tenne onely.

Theophrastus In ſomuch as Theophrastus as Cicero saith,
was wont to accuse nature, by complaingning
that ſhe gane Hartes and Rauens longer life
than men, which are creatures that do no grow
at all, and man that can profit him ſelfe and o-
thers, is ſone cut off to dye. Pitthagoras obſer-
ved in mans life ten notable chaunges, and
that was every ſeventh yeere to be climacteri-
call, or iudiciall, not without great daunger of
death at thofe times above all other: ſo that
they counted the laſt to be fatall. He called the
firſt twenty yeeres childhood or boy age: the
ſeconde twenty he called yowle: the third ma-
hood: the fourth olde age: comparing them
to the ſoure ſeasons of the yeere. Varro cal-
Pythagoras. led them children till full fifteen yeeres of age,
bycauſe they are beardleſſe till 130. he calleſ
them

them springalles or yonthes, bycause so long
the bosome ygetheth: til 45. he callis them men,
as then beeing of best courage: from that to
60. seniors or elders, and from thenceforth the
decrepit as it were decaying and dying: soz
then saith Alexis, men live no longer, but by Alexis,

little and little begin to die. In this manner
then, towardnesse of wiste in childhood is prai-
sed: facilitie to learne in yonthe is commen-
ded: and the frutes of suche wisedome and
knowledge, is the expectation of elder peers.
Agapie, in a childe simplicitie, in yonthe dexter-
titie, in age grauitie deserueth praysel. Of
children it was spoken before. As touching
yonthe, nothing more dishablesh the floute of
age, than licentious libertie to lewde and ba-
handed lust, which in elder times was profe
sufficiente to barre a man from gourme-
mente in age, whose life in yonthe was disso-
late. Of whiche varamd loue, sayeth the
Poete, It is I wote not what whence it
commeth, I knowe not: who senteth it, or
how it engendreth, I cannot tell, nor where-
with it is contented. It is felte, I cannot say
how oft, or wherefore: and finally it taketh
root, without breakinge fleshe outwardly, or
procuring any intralle within: a busshes saith

Of yonthe.

Of loue that
harmeth
yonthe.

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Diogenes, to set idle persons a worke; that
hane not other godly motions to pepule the
minde withall. It is called unsatiablie, be-
cause it desirereth fulnesse, and yet to empty it
selfe agayne, and in that case persisteth still.
For of fulnesse commeth repentaunce, and yet
desire to be full agayne; and therefore it is cal-
led a fire that never goeth out. Whereof sayth
Plato, the hart of him whiche loneth, dyeth in
his owne body, to live in the liking of an o-
ther, and him selfe is hartelesse, as it were, to
goyne anothers hart: whose beginning is dis-
ceipt, the middle is grieve, the vicerie is forari-
nesse most lothsome, the end is sorow and lesse,
bycause it hath no ende. Examples woulde
be Tarquinus, killed with the loue of Lucrezia;
Orestes, run to bee prouaded to slay his
owne sonne: the incest of Clodius with his
three sisters: the adulterie of Thieses with his
brotheres wife: the rape of Tarquinus upon
Lucretia: the stealing away of Helene by Pe-
ris: the shamesull and unnatural filthynesse of
Nero with his owne mother: and the filthy
lust of Maetne Semiramis to Ninus his son.
And therfore sayth Cicero, *Libidines a corpori in-
temperante indecentia affectum corpus tradit se-
nemque et rorosus hunc in youth, in all man-*

De scncc&t.

ner lust, delyuereth the body as a prisoner to age, feeble and empaired, yea it utterly hindreth many excellent yong men of greate towartenesse, to be thrall to their owne appetites, besydes that, that seldom it is not the dishonor of age, tormente of conscience, and the hastie graue of a boare head. Finally no thing becommeth youth that age may be ashamed of. And of age, sayth Socrates, the men of age. moxie of a sound life, and a god discharge of Socrates, conscience are the good sanctes and smelles of old men. And happie is he sayeth Plato, to Plato.

whome in age it happeneth, to desire wisdom, and to iudge rightly of opinions, for to those, age is not troublesome, nor they lyke tedious. But such, as notwithstanding their unbridled youth, hath settred them with all infirmities of age, doe neþerlesse, leane on a legged staffe, to reduble the mischieues of their youth with blisse of euill doing, even in their latter times. So maruell if the clogge of troubled conscience be in them to thinke on. Silenus the Poet was wont to say, *Maximus Silenus munus homini, a deo, non nasi primum in pri- mo vita limine occidere.* The greatest benefice of God vnto man, is not to be borne, the next is, assoone as he is borne to die. In conclusion

The Safegarde

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have not other god motions to occupie the
mynde withall. It is called unsatiiable, be-
cause it desireth fulnesse, and yet to empty it
selfe agayne, and in that case perissheth still.
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desire to be full agayne; and therefore it is cal-
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his owne body, to live in the liking of an o-
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ceipt, the middle is griefe, the vixorie is vacan-
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Nero with his owne mother: and the filthy-
ness of Dacene Semiramus to Ninus his son.
And therefore sayth Cicero, *Libidinosus et in-*
temperante adolescentia, effatum corpus tradit, se-
nctusque atrocious living in youth, in all man-

Place.

De senect.

anagogic

ner

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mo vita limine occidere. The greatest benefice
of God vnto man, is not to be borne, the next
is, assoone as he is borne to die. In conclusion,

M.v.

both

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Cato.

both youth and age learne that of Cato major, the course (saith he) of life is certayne, and the way of nature is one, playne and single: and every parte of mans life hath his tymely qualities and opportunities. In children is weakenesse, yong men are fierce, constant manhood is graue, olde age hath ripenesse. And every one of these (saith he) haue their due commendation, if discretely withoute lightnesse or temeritie they vse the same.

¶ Of obediēce
to lawes and
magistrates.

The other part of this Chapter, of the behauour of a common person, is besides the loue of concorde, to obey and keepe lawes and ordinances soundly withoute cauelling or priuis breaches, and to honor the magistrates that haue the charge thereof. For that was the singular commendation of Metellus in Rome, and he gayned well thereby: For being before the judges and pleading his cause when letters of certificat were deliuered against him for evidence, all the people then present cryed out, it was not meete that credite shoulde bee givē to paper letters against so honest a citizen, that had bin alwayes submissē and obedient to their laws.

Metellus.

The Medes and Arabians when they gaue their consent to any lawfull ordinance, would laye bloud of their armes, and liche it with their

their tonges, as it were to pledge their lyars, to perducethe same. In other places they binde themselves by othe and promise, vpon people to lose their priuilege, for maintenance of the same. And in all places the common sort are submitted to their rulers, as those that de-sire honor for the charge of conscience that they take vpon them to execute god lawes, considering the continuall care, jeopardie and travelles that the publike weale doth cast vpon them, through whose endevours every priuate person enjoyeth securite. And therefor sayth Cicero, *Magistratus est lex loquens, lex est racius magistratus,* The magistrate is a speaking law, and the law is a speechlesse magistrate. For whiche cause, all that commend lawes, wil easily consent unto the magistrate for honore of the lawe. But this may suffice of concord, and of the rest more in the next Chapter.

CHAP. 10.

Of Magistrates, and their office, and certayne circumstances belonging therunto.

The people Massilienses are commended in bystories, for the good order of gouernement that was vsed in regiment

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regiment and rule of their common weale.
Whiche people, as Strabo sayth, had 6000 chiefe
burgesses, senators or Aldermen that tooke the
care thereof. Out of which number 15. were
every yeare elected and chosen to be magi-
strates and gouernours for the yeere. And of
the same 15. were three agayne chosen of the
chiefest to bee judges of the lawe, to keepe
courtes, to heare and determine trespasses, and
to iudge every man right. In the Cittie of
Rome, first there were 100. Senators, or Al-
dermen, as the Masilienses were, and of them,
two were yeerely chosen to be cōsuls or Spi-
rifies, and then it came to the rule of tenne
which were alwayes appoynted to be iustices
by commission, called Decemviri; and by rea-
son of their crueltie, it was altered to Com-
fuls agayne, and after that it came to one
mans rule chiefly, and he was called Dictator,
or Lord commaunder, and as we call it,
Mayoř: who was neythelesse chosen but in
speciall causes, and did endure but for a shorte
time, not commonly aboue sixe monethes.
These people tryed all degrees of regiment,
and although they thought once the compai-
soners authoritie to be chiefest, bycause ma-
ny mens aduises are good, yet perceiving what

what trouble did gro'we, by one affeckating to ouercounterance the others, they lassly concluded of a single governement to bee the chiefeſt. In other places, certaine jurates or twoyne men, ſome ten, ſome twelve or more, haue exēcuted the like: but ſinck proufe hath taught, that many heads do rather endauger and priuideſce tranquilitie, than help the ſame, as we ſee often�imes of many phisitours aboue a patient, they rather ſtrive for prayſe thaſt maſtice to reſtore health: the rule of one or one more, is moſt approued. Officers to
be yearly
chosen. The ſame is alſo be yearlye, and not enduring, bycauſe continuall mighte rafhy chaunge their condicions, that in ſteade of iuſtice, tyraſmie ſhould be vud. As when Fulius Cæſar woulde haue bin Cæſar. Dictator of Rome by part, many good men forſeeing what mighte folowe, they abuited the citie, and ſome chose to die, and the greateſt part betooke them to a priuate life. For expe-rience teacheth, that honor and estimation wil make moſt men to aduenture hoolieſtie: and dore it is, that ambition is bridled in many, whiche woulde make maſtraries and gaynes of offites. If the tyme of their authority were not knowen and limited. As touching which yearlye offites of magistracyes, and who ſhuld who ſhoulde
be chosen.

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Who shoule
be chosen.

Socrates.

be electid thereunto, many haue alwaies been
of iudgement, that simple and ignorant men
of handicrafts, without experiance or knowl-
edge, may not easilie take the charge vpon
them, bycause they will be rash and headlong,
without councell, or else froward and cruel
vpon affection. Whereof saith Socrates, It is
against all reason, that in vile occupations, a
man is reproved, that setteth vp the same, ex-
cept he baske bin prentise therunto, and now
indeedis will meddle with the mysterie of an
other, in whiche hee is not practised: and yet
naylesse such vnnescestatie persons and bo-
meete are admitted to governe in the com-
mon weale, as never were prentises to wi-
dome, nor els haue exercised the knowledge
of humanitie, which becommeth magistrates.
And in another place, saith he, As every man
would crytie on him, that will enterprise to
rule the sterne of a shuppe, that never was a
sayler: so may wee hille at them shamefull
whiche shall put in fote to redifie a whole
people, whiche are without learning and un-
derstanding. Howbeit, in so generall a case
as government is, every where is vnl必要: if the want of learning in honest maners
and discreet behaviour shall be supplied, if the
miserie

With great hope of good & lawfull gouern-
ment. Such therefore deserueth þ calling,
as God hath prauised obedienc to triе his wi-
thynesse to controll others, as the old saying is,
Qui seruire non didicis, imperare nescis. No man
can be skilfull in seigniorie or office, that was
not first ynder rule himself. And therfore most
lawdable orders haue obserued to prefer men
by degrees, & none to be a iudge before he bath
learned iustice: for seldom will the peo-
ple fauour his authoritie þ bath not proued his
meeteenes by inferiор services, or else some oþ tics of a mag-
ister wais by good & commendable qualities: he gistrate.
must then be an honest & ciuitiā, more care-
ful for common weale, þā greedy after gaines;
not so wise in his owne conceit, as submisse &
tractable to heare the wisest; not impugning
good couetur, not of manifest euill report, not a
mayntayner of quarrels, & last of al, not unex-
pert in the customes of his countrey. Suche
kind of men are allowed to be magistrates
for want of þ learned & skilful, & wil exercise to
gouerne by þ assilance & couetur of þ learned.
How far deceyued then are they, þ make no
more a doo to choose a magistrate, but to find
him anciet & welthy, though he lack al things
else besidest, and the whē his course cometh to
be

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Of age.

be chosen, let him haue his course, though it be
to bring all god gouernement out of counte.
But as soz age and antiquite, if that bee am
we may reason very well, that as elder men,
for their wonted ripenesse of wisedome, and
greate experiance, deserue sometimes to be re
steemed above yonge: so they are to be con
firmed btyrly, that think the only stame of
age, or the bare shewe of a hoare head, can de
serue the same. To whome may bee applyed
that of the woodden head in the caruers shap,
O pulchrū caput, parum ingeny habet. O good
ly head, but no wit at all: and so: O comly
auncient man, but fit for no seruice in a com
mon weale. As soz their riches, they cannot al
ter their simplicitie, as well noted Diogenes,
calling such men sheepe with golden teeces,
noting the to be sheepe still notwithstanding:
who are comonly had in admiratio; saith Ci
cero, bycause many me do feare the, for their
riches, and for nothing else. And therfore An
tisthenes made a fust comparison between
such unlikely felowes, & the aske s that shoule
learne to drawe a plough: as who shoule say,
it was hard to haue them meet to gouerne, if
they had none other qualities. And so did De
monax, whē he sawe the iolly swaine sit in his
skarlet

Of wealth.
Diogenes.

Cicero.

Antisthenes.

Demonax.

scarlet gown, wel pleased to behold himselfe in dignitie, Sir (saith he) this robe of yours was a sheepes coate before it came to your back, yet it was a sheepe still: noting þ his faire gowne could not hide his rusticke manners. It is not therfore age onlye, nor riches þ may cal a man to þ place wher he is to minister iustice, though both doe serue greatly, and shoulde accompany that calling: grauitie of peeres, to further credite, and necessary wealth to honour authortie. But if it were so that men might be discharged from service of the common weale when they are called, then doubtlesse none would wishe to aspire to offices, if they could wisely iudge the quietnesse of a private lyfe, and the continuall daunger of Magistrates, besides the rebukes and discredite that folowe the one more thā the other. Of which Isocrates noteth three causes, measure of wealth, seruour of lawe, and free admonitions wheres they are deserved, which doe often qualle the common sorte: when as abundance makes the Magistrate iue in securitie, boldnesse makes him offend, and fewe will presume to warne him of his faultes. Againe (sayth Solon,) nothing Solon. is so harde for the Magistrate to doe or take in hand, as to content and please all men:

P.

Wher-

Non shalld
desire offi-
ces.Isocrates.
Three can-
ses to
make a pri-
uate man
to doe his
dutie.

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Chrisippus. Who of Chrisippus gaeth the reason: Because (sayth hee,) that which seemeth injustice to one, is thought un lawfull of an other: and more over if thou iudge rightlye, thou offendest men: if un iustlye, thou displeasest God.

Pompey. And therefore the noble Pompey (as one most weery of his honour,) cryed out to see the crueltie of Sylla, and not knowing howe to behauke himselfe in the dignitie that he had, saying: Oh perill and daunger, never lyke to haue ende: howe much better had it bene for mee to haue ben borne a poore mans childe, if the case bee so that I shall never leue these cares of regiment, to leade a private lyfe agayne? Of which Demosthenes was wont to say: that knowing as hee now did, what enay, feare, false surmises, and imminent daunger a man of dignitie was to looke for, hee would rather choose to suffet death, than take uppon him to determine matters of iudgement, as a Magistrate.

Antigonus. And therefore sayde Antigonus of his regall power: O noble, but yet an unhappy crowne, if a man knewe howfull of trouble thou arte, hee would not take thee up, though hee founde thee in the street. But what then of them that swell in ambition,

bition to purchase authoritie, and make O fambiti-
stendes, and bestow gifthes to get them of-
fices of rule and power? Is it (thinke you) ^{of offices.}
for any thing els but to ouerlooke his adver-
saries, or els to make it gainefull? For
who will buye prestement, except he meane
to sell iustice? whitch Iulius Cæsar Marpilie
touched in the person of Sylla, menacing so
make him sell his authoritie, as manye sculc
officers doe at this daye, to bee knownen in
their office. Thou doest well sayeth Cæsar, to
call it thine authoritie, because thou bough-
test it with thy money. And therefore Plato. Plato.
thought none that are sollicitors or canvassers
for dignitie, meeete to haue the same, but onylē
such as vnderstanding well the charge, were
vnwilling, and must bee compelled therewna-
to, hee thought were most lyke to governe
well. As Cato Iunior in Rome, that albeit Cato,
his frendes did urge him to stande for the Tri-
bunes office, yet would hee never yeelde his
consente therewnto, till hee was fullye per-
suaded whiche waye hee mighte serue to
profite the common weale: So far was that
good man from affection of rule & desire of
haing tozie: And finally, it is not y bare name ^{De consol.}
of a magistrate saith Boetius, that bringeth Phil.li.2.

The Safegarde

honour but the admiration of his vertues: It
is not the rounre or the place, sayth Aristippus
to King Dionysius, that doeth nobilitate the
person, but contrariwise the Magistrate ma-
~~the office~~ keth the office to bee honored. The second part
of a Magistrate is touching the office and behaviour of a Ma-
gistrate, which Cicero setteth forth in two de-
grees: he must remember (sayth Cicero) that he
beareth the person of all the people, as one in
whom all men are made one, and also to per-
serve and execute the lawes that he is charged
withall. To the first belongeth the weightie
consideration of his charge, insomuche as all
men depend on him for justice, and all have re-
ferred the uttermost of all to him alone: for
which cause he must forget his priuate being,
so long as his office lasteth, and should more
esteeme publike utilitie than his owne luste.

Offic. I.

Of care of
common
weale.

Adrian.

Cleon.

Of which Adrian the Emperour was wont
to say, the common weale must so be ruled of
Magistrats, that men may understand how to
governe all mens matters, and not their owne:
and so should they be to every one, as rightly
they may seeme affectioned to all alike. And so
Cleon sayth: all bondes of frenndship must be
broke, least Justice shuld be hindered for fren-
dships sake. So that by the good ex ample of
Alexander,

Alexander, both eareys may never bee stopped, Of adu-
no; yet both opened to every tale, but that one less hearing
may heare the accuser, and the other to listen martens.
with lyke equitie to him that is defendant,
without temerations helpe or hastie iudge-
ment bpon every light reporte. In other de-
gree is that which Cyrus was wonte to say: Of huma-
niti. In one of autoritie all men doe accompte
more notable the praise of humaniti, than po-
wers of manhood, for the one (sayth hee,) hath
bene hurtfull, but humaniti hath profited e-
uermore. And therefore Cicero sayth, *ad quin-*
tum fratrem, gubernator ante omnia facilite- Cicero.
te utatur adiundo, lenitate in respondendo. A
gouvernour aboue all things shall vse facilitie
or easinesse to be talked with, and humaniti
or gentlenesse in his own aunsweres, as Titus
was wonte to say, I would shewe mee such
a one unto the people, as I would bane them
unto mee. Wherein nevertheless suche discre-
tion must bee vsed, as the proverbe bee not ve-
rified, *nimia familiaritas parit contemptum*, too
much familiaritie maketh men to bee disday-
ned: and most of all to shun that nipping kind Of moc-
of skoffes and tauntes, that sheweth ligthnesse, king magis-
as it is proued in Scipio Nasica, to his greate strates.
rebuke, when he stode for the office of Aedilis
Scipio.

The safegarde

Of being
his owne
iudge.

Augustus.

Nero.

Tiberius.

in Rome, when he had repulse thereto; notwithstanding his great desrites, through a company that were gretted only at a knoffe that bee gaue a thickeskin towne, Feelyng hys harde hande, and merrilye asking whether bee wente on his handes oþ his steeþ so hatefull it was, to bee mocked by one of his estate . Neyther is it the least thing that a Magistrate batte to care of, to be circumspecte and heedfull in his owne causes : For as it is not tollerable that they shoulde bee neglected of leude persons ; so sometymes severitie maketh him to bee condemned of unworthiness . Of which Octavius Augustus was wonte to saye unto Tiberius, I must not bee offended with any man that reporteth euill of mee, because it is enoughe that they can doe mee no hurt . But and Nero though bee were boare to be attayled, yet bee reuenged fewe reproches done vnto his owne person . And therefore Tiberius was wonte to say, that it shoulde be lawfull in all free Cities, for every man to speake his conscience: which may very wel be graunted as well towardes the Magistrates, as other infidell persons, so as the same bee done with modestie, and rather of honest motions, than

than of wilful disobedience, and manifest contempt. The seconde degree that Cicero speaketh of in the Magistrate, is to preserue and execute lawes. Whereunto Aristotle nocht three things most necessary, the right use of iudicice, to vppholde the ancient custome, and not to neglecte the common people, as it were, to bee devideid from them. As touching the first, sayeth the same Aristotle, In vain shold good lawes be made for justice sake, if the Gardias, that haue þ charge thereof, care not to execute the same. In which pointe it is principally required, that the Magistrate be suche one him selfe as his example may make many to imitate his well doing. For so sayeth Socrates, a man shall best deserve when he studieth to be suche a one indeede as he would willinglye accompted. Wherof Alphonsus was prone to say, that Magistrates ought to excell priuate persons in honest life & conversation, as much as they doe in worshipp and calling, meanyng that no lame prenayles, more with the common sorte, than the good example of their rulers. Which was so carefullye practised of Marcus Antonius. Pius, Antonius, that by manye secrete deuises, priuie disguisings, and conference with simple men, bee

Three
things ne-
cessary to
execute
lawes.
First.

The exam-
ple of the
Magistrate

Alphonsus.

The safegarde

Plato.

was furthermore inquisitive what the people thought of him, and howe the reporte was of his behaviour, to the intent that he might retouche and amend whatsoever was amisse: well considering that of Plato, where he saith, that every fault in the Magistrate, is a double offence, and his very example is a greate deauy worse than the crime. For so sayde Isocrates, in vaine it were to enioyne lawes to the common sorte, if the elders wold seeme to violacie the same. Whereof sayth Claudianus concluding both degrees in the person of the magistrate,

*Tu triuem patremq; geras, tu consule cunctis
auctoritate
A citizen and Magistrate,
The we both thy selfe in one,
Do rule thy selfe and others too,
that publike cause and not thine owne
May seeme to be thy care:
if ought shou charge and thinke it best,
Begin the same, and willingly
then foloweth all the rest.
To doe the lyke, and thinkes no skorne
to give their free consent,
To all wherewith the Magistrates
themselves are well content.*

Cato.

Whereupon Cato the elder was wont to say: that he was easie to be entreated to pardon any offendour saving hym selfe. He pardoneþ

himselfe that is not sorry for his faultes : and he doth punish himselfe that carefully considereth wherin he hath offended . Was not that most notable of Augustus Caesar, that ha- Cæsar.
ving made an acte for the triall of adulterie, punishment
and the punishment therof, by due forme of
processe to be executed: and being put in mind
thereof by a young man, on whom hee freely
ran with violence, for that hee offended with
Julia his daughter, the young man crying out,
O Emperour why doe you not prosecute the
lawe in this case provided, but so partially
judge of your owne cause : at which the Em-
perour being affonied for his rashnesse, in vio-
lating the lawfull order of justice, though it
were his daughters case, and though the pro-
ceedings of lawe were long and tedious, yet
he so reprehended him, that hee refused to rate his
supper, that night for sorrow? a worthy acte of
so noble a person . And as famous is that of
the father, that in the lyke case spared not his
owne childe, that by lawe was to haue both
his eyes putt out, and though hee was his only
heire, and continuall intercession was made
for his pardon, yet hee would not so acquynt
him, but to satisfie the lawe, and somewhat to
spare his childe, caused him to lose one eye, and

D. v.

he

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he payde the other himselfe, a rare deuise of a
just iudge, to paine himselfe to haue the lawes
performed . When the Macedonians came to
Torquatus, Rome, & complained to Manlius Torquatus
against Decius Siluanus his sonne, which was
Prouost of Macedonia, the father requested of
the whole counsele, to haue the hearing of the
matter by himselfe : which haue had two dayes
together, and synding his sonnes guiltie, spa-
red not to iudge the vttermost agaist him;
and expellid him the Cittie with his owne
mouth . A zealous Justice offering himselfe
against nature to condemne his owne sonne,
whose faultes hee might haue some waies
concealed .

These are necessary pountes of justice, in
the person of himself, his children and frendes
whatsoever they bee : and so it is requisite also
that he iudgge and execute lawes with equi-
tie among all the people, wherein is required
good discretion, without partialitie, either for
feare or fauour . And lyke wise seueritie, as the
cause asketh, without rashenesse, without ha-
tie credite to every pickthankes tale, or whis-
perers complaynte, but with indifference
and due hearing of the circumstances of the
matter, without choler or furie . For what
more

Of the
Magis-
trates.

more vitallitie justice than unequall degrees
of lawes, when one shalbe extremely handled,
and an other not touched for the same cause, as
was in Rome in Domitians time? And what
decayes the power of lawe, but that which
Anacharsis was wonte to saye of Solons
lawes, that hee lykened to the spiders webbe,
which hampereth little gnaties, but lettesth
out the great Waspe? Of rash Magistrates,
what made Ptolome to pronounce Apelles a
traytor, but the bastie holde which hee tooke
of Antiphines false reporte, which made
him afterwarde to grieve full sore? What
made King Philip of Macedone to con-
demne Macheta, but his slumbering oyer
to heare the evidence: whereof, when the
prisoner appealed to heare it making, he was
ashamed, and counted it for errour? Of par-
tiall Magistrates, iust was the rewarde of Magi-
Cambyses, that caused the Judges skin to be
stripped of his bodie, and to hang for a re-
lique at the benche, where his sonne shoulde
judge after him. And to be remembred also is
that of Alexander Seuterus, that so abhorred to
see them, as meeting them in the streets, he wilbe
readie to strat out their eyes. Of whom sayth
Chilon, gold will trie them, as the touchstone
tryeth

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Demades.

tryeth golde. For they procure offices to sell
justice, and were it not in hope of gaines, they
would never wish to rule. As Demades no-
ted a great many in his time, almost as many
as are now, when he sayd to Photion at din-
ner, that he marvelled how hee governed the
common weale & yet fared no better: as it were
touching þ magistrats, þ by colour of office do
practise bribery, extortion, exceeding fees, & op-
pression, to enrich themselves by the spoyle of o-
thers. Briefly for the right use of justice, Plato
admonisheth Magistrates not to bee more
mindfull of their owne commodities, than
the common weale, nor so to favour one man
as he may seeme to forsake an other, further
than equitie requireth: whereof saith Cicero,
An honest man wil die rather, than to halfe in
eyther of both.

Offic. I.

The secod

Aur. Cz. 43

The seconde thing that Aristotle speaketh
of, is against deuises of new condition, con-
trarie to the auncient regiment of times pas-
sed: wherin it behoueth, so to uphold customes,
that no good custome bee lightly adnulled, so
to corroborate lawes, that no reasonable lawe
be made frustrate: and so to mainteyne liber-
ties, that the common libertie of all bee not
made scritude. For sayeth M. Aurelius to the
schole-

scholemasters on his childe, as hee laye at hye
death bed : the common weale is in very ill
case where the governours be of many inten-
tions, and of divers mindes among themselves:
for while one would haue that which liketh
him, an other is of an other fancies : one ima-
gineith one thing in his braune, and the nexte
condemneth his opinion : some will invent
one thing or other, to be counted singular and
wiser than other : some will not yeelde unto
opinions, because nothing is good that com-
meth not of themselves : the common wealth
in meane while is disperaged and sacked, the
people are deuided, and the Magistrates haue
reproche . What was els the decay of Rome,
but the often chaunge and exchange of go-
vernment and customes within the Cittie ?
what was euer more perillous, than the alte-
ring and innovating of statutes among the
Romans, so long as the tribuneshippe of the
people was suffred of the senators ? And the
people of Crete never wished other venge-
aunce to such as they would curse, but to haue
their heades occupied about new customes, as
the next way to confound their regiment. For
which continuall and strength of lawes,
without any aduailing and repelling but in
vrgent

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Pausanias.

Demarchus

Of chaun-
gig lawes
and liber-
ties.

vigent causes, the people of Sparta are remay-
bied : among whom Pausanias being asked
why the Spartanians might alter none of
their auncient lawes, Because (sayth he) lawes
ought to rule all men, and not at every turne
of them to be ruled: Insomuch as Demarchus
being a King among them, aunswere to
one that demanded the cause of his exile: Bi-
cause (sayeth he) our Spartanian lawes are
mightyer than our Princes. Howbeit nothing
maketh agaynst the necessary chaunging of
lawes in all maner lawfull causes, so that the
common weale of all bee respected, and not
to folowe the idle inuention of a fewe. And
in lyke case for the maintenaunce of liberties,
as the whole charge of the Magistrates is to
execute all that toucheth auncient freedomes,
so that no libertie bee empayzed: so no doubt,
to bee contented with no more, as though no-
thing were needfull which their ancestors
haue not done and procured, is rather of an
abieete and seruile minde, than of a prudente
and politike gouernour. For common weales
in the beginning began of necessitie, and fe-
lowshippes of people and liberties encreased
as they might, and many never came to ripe-
nesse and perfection : the mooste of all, shall
want

want moste necessarye growthes, and nons
shalb not alwayes approue, that honeste li-
berties and greate authoritie, safelye vsed,
muste needes aduaunce the common weale,
if so bee wyse. Magistrates wil bee armed
with good counsell and reasonable policies
therevnto. The thirde rule of Aristotle is
not to neglecte the common people, but to
winne their fauoure by suche honeste entre-
tie as becommeth Magistrates, and to for-
tefie good gouernement by their necessarie
ayde, as though nothyng maye safely be es-
tablished without them. For so shall they rule
with estimation, and the people wil be bet-
ter contented to obeye. Of which sayeth
one very wylly, There is no wall so strong,
no Tower or Castle so well fensed, no garde
or garrison so safe vnto the Magistrates in
authoritie, as the hartes and loue of the vul-
gar people. Who if they once perceiue that
they bee not accompted of or esteemed, but
onlye throughbe greenous taxes, imposi-
tions and subsidies layde vpon them, are
made instrumentes of seruycce in the com-
mon weale, and nothyng else: they mur-
mure and grudge, they priuylye and ma-
litiouslye conspire togither, utterly to subvert
The third
train-

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tranquillite, and never haue other ioye, but to haue the bitternost of dispaire to be turned on them. For whiche causes the Romans graunted y people an officer called Tribunus Plebis, as it were to bee their speake[r], and suche a one as without him no lawe shold be agrued of to binde them, though all the Senate thought it good, and all to make them tractable : whiche had bene a notable policie, if the same had not growen at laſt to extreme ſeruitie. An other praefice hath bin of Magiftraſes, to win the people by humanitie and gentlenesse, by liberall rewardes and hospitalitie, by ciuill and orderly behauour, all whiche doe wolke muche in the hartes of ſimple people.

De huma-
nitie.

Lib. de re
familiaris.

Scipio.

For sayth Xenophon, all creatures that want reason, are by two maner of wayes made obsequious to their gouernours, by feeding and cherishing, as the brutish ſorte and couragious horſes, or els by stripes as the ſtubbornne Asse: but man is made loving and obedient moſt of all, by liberall giftes and rewardes. In which the noble Scipio Africanus ſo excelled, y wal-king about Rome, he was never readie to go home to his own houſe, before he had relieved the neceſſitie of thoſe that were in neede, and beſtored ſome maner benefite on the godd de-ſcended

Titus.

Alexander.

T. Cæsar.

deserts of other, whiche made him greatly to be honored. The Emperour Titus was so bovntifull of nature, that if he chaunced to sit at supper, and could not remember some good turne that her had done all the day: he was wone to burst out, *Amici, hodie diem perdidii.* Alas my friendes, this day is cleane lost. And so woulde Iulius Cæsar vse to say, *Cæsar.*

Then doe I wake riche, when most of all, I beshew somewhat on them, that haue wel deserued. Lyke unto that of Alexander, beyng asked how he did enrich his treasure: marie (sayeth hee) by beeving libeall to my people. Agaynsste whiche gathering and polling the common sort, with paymentes and amercia-mentes, as they do commonly practise, whynch profer them selues to offices, and canualasse and giue hir to be chosen rulers, Tib. Cæsar hathe *T. Cæsar.* a fitte comparison: for beeving counselle by the collectors to raise a tribute: no sayeth hee, a good Shephearde wil sheare his sheepe, and not vncase them cleane: meaning, that al-though by lawe sometimes they were fully taxed, yet in no case extremities shold be v- sed, but all things by greate discretion and e- quitie to be affirred, least offices myght mawe to be counted odious. Finally and last of

¶.

all,

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Of punish-
ments.

all, a magistrate ought to bee circumspet in corporall punishmentes, and to measure the payne by the circumstance of the trespassse. A man of free condition and submitted to civilitie, abhorreth the chastisement that open malafactors will deserve; and hee that is contented to be subiect unto order, may not bee corrected for euery lyght offence. On the other side, common trespassses may not be tollerated by foolish pitie, or to gayne a name of gentleness and patience, least the same should animate offendours, and besydes that, to breed contempt: by good moderatiō of iustice, both sorts are easily amended, as the Poet sayth.

*Oderunt peccare mali, formidine pena,
Oderunt peccare boni, virtutis amore.*

*The enſt ſort for feare of payne
Will hate to offend:
The good alone for vertues sake
Their faultes will take amende.*

Fabius.

And therefore Fabius Maximus adviseþ a ruler, firſt to assay his people by fayre ſpeeche and gentle warnings, before hee handle them with rough correction: for (ſayth he) it is moſt abſurd to make wilde beaſts tame by meate, to breake houſes with ſoft riding, and to haue dogges

dogges familiar without chaynes or stripes, and yet to set vpon man that of himselfe is reasonable, with extreme crueltie. Howbeit the magistrate must be like the good Phisition, not to minister medicine longer than he hopeth for healtie, but oftentimes to seach the griefe, and to cut off the putrifyed partes, least the sounde members shoulde bee also corrupted.

¶ Of punishments among þ Romans were eighte kindes, amerciaments, fetters in close prison, open whipping, shamefull penance, ^{punishments} talion, that is like for like, banishment, bondage, and death. But death was seldom used, sauing for wylfull murder: whiche Saba-
cus Kyng of Egypte never used at all, but suche as were condemned, went alwayes fettered to be slaves for all menne, so long as they lyued. Howbeit Draco pun-
ished all thyngs by deathe among the Atherniens, and therefore his statutes were called bloody lawes.

The manner of death was also diverse in many places: in Athens they were popsonned, in Rome they hadde a lawe cal-
led Pompeyes lawe, that commauded Parricides to bee fast sorwed in a Sacke,

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Plini.lib.9.
cap.23.

The punish-
ment of La-
cedemons.

Of too much
lenitie.

Cato.

With a liue dogge, a cocke, an adder and an ape, and so to be drowned. Plinie also maketh mention of one Pollio, a Romane Knyght, agaynste whose crueltie Seneca inuygabeth, whiche kept close pondes or stewes of greate Lamproyes, for the purpose to devoure condemned persons. T. Hostilius commaunded Metius Suffetius to be torne with wilde horses. Perillus devised a brasen Bull, into whose holownesse menne were put aliuie ouer a hote burning fire. In Rome also was the Gibbet devised for Cateline: in other places the wheele, and many other mortall tormentes: and among the Lacedemons, Lacon devised for all offences, no more but to goe about the market, confessing his crime, as it were to scourge hym selfe with bys owne tongue. But of the manner of punishment, what shoulde be sayde more, than the same to be executed durly, that iust lawes haue enacted, for the qualities of every mans offence, folowing the opinion of Cato, and good dis-

serued

served to bee stoned of the people as open enimies, that myghte prohibite offences and woulde not, bycause suche passioned pacience, doeth encourage many to offendre through licence. And agaynst cruell iudgements was Cæsar vsed to have in mynde, and say, It is a wretched companion of age, the remembrance of cruel gouernement: meanning it must needes bexe y^e conscience, that of knowledge hathe offended, or else agaynst nature hathe done most hatefull tyrannie. Whiche bothe defaultes of cruell haterd, and affectioned lenitie, was so well prouided for by Solon among the Athenians, that the manner of the Areopagites was to heare all causes in the nyghte onely, to the ende that they myghte not by anye occasion regarde the parties, but earnestly respect the matters brought before them. Of suche severe integritie were they^r iudgements, withoute any manner affection, bayne pitie, or fauoure, more than the very cause it selfe required. But nowe of suche as shoulde be ayding and assistant to the magistrates, for furthering and setting forthe of iustice and lawfull gouernemente.

Of corrupte
iudgements.

The manner
of the Areo-
pagites.

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CHAP. II.

Of Counsellers and assistauntes vnto Magistrates, with the circumstaunces of the same.



Iurgus calleth counsellors, champions of the common-weale, beeing as it were one body, seeing with many eyes, working with many handes, and traueiling with manye feete, being many of the wised conserning in one, and consulting together, and all for the good estate of all the people. For sayth M. Aes rehus, in matters of counsell, one will shewe the inconuenience, an other the perill; another the damage, an other the profit, another the remedie. The necessarie of whome, Demosthenes well declared to the people of Athens, when the Macedonian King dissembled peace with the Cittie, and offred truce, so that they woulde delyuer vnto hym the same Demosthenes, and nyne other of the chieffest burges ses

Aur. cap. 46.

Now necessarie councel is. Ithenes well declared to the people of Athens, Demosthenes. when the Macedonian King dissembled peace

ses that were most of all againste him in theyz
common councelles. For the matter beyng
rashly debated, it was concluded anon, that
better it were, to put them stune in daunger
of theyz lyues, than the whole Citie else to
perishe. But Demosthenes, to discouer
King Philips policies, and to reprooue theyz
rashe consente, On a tyme (sayeth hee) the
Wolfe prouised with the simple Shephe-
ardes to hane a truce, and not to skir-
mishe any more with the Sheepe, so that all
the mastine dogges that were the watches
of theyz flockes, shoulde bee deliuernyd vp,
(as pledges of peace) vnto the Wolfe. Wher-
e the beeyng done and agreed vpon, the
Wolfe (as one out of all feare) made grar-
ter spoyle than ever before, and in steeds of
a Sheepe or two at a tyme, made hancke
of moxe than hym selfe could eate, and
sitteth vpon the Shepheardes too at last.
Euen so, sayde Demosthenes, the Kyng
forseeing that no way is so easie to in-
fringe the liberties of the Citie, as fyfte
to vnarme them cleane of councell, with-
oute whyche the people are þurly, and
that I and my breþthen of the counsell

D. iiiij. v. 10. 10.

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do travell all that we can, with our advice
and policie to cut off his practises, what mar-
vell is it, that first he would begin with vs, to
make the way of destruction easie to you all?
In like manner, the lewd and unbridled
sort, are never more inventorie and busie by
false suggestions, slaunderous reportes, and
hatefull divisions, to vndoe the knotte of vns-
on, that politike magistrates by counseil haue
devised, and to discredite the policies of the
well desirring, than when they mest of all
do profer themselves, as may seeme, to leade a
quill life. And therefore in no case are they to
be sparc'd in a common weale, that are merite
for so necessarie charge: whose wortynesse no
doubt, consisteth in manner wholly in they
good example of honest and orderly lyuing,
as well as doth the magistrate: and surely a
lyght offence in suche a one, hurteth muche to
offende the simple. For whiche causes, in the
seventh table of our auntient lawes, sayeth M.
Aurelius, it is written: we commaunde more
grovous punishment to be executed vpon
one that is preferred for his wisdome, for a
light offence done openly, than vpon a secrete
and priuie murder. And then (sayth he) O full
lawe and iust men that made it: for the man-
Clear.

They must
givē good
example.

Aur. cap. 7.

clear killeth but one in his farie, but hee that is
elected to counsell, and credited to bee wise,
sleaeth many with the euill presidente of hys
owne example. And theretpon the Emperour
noteth, how Chrisippus in y^e time of Traiane,
was above all, commended for his great de-
territie, and sharpnesse of witte among the se-
nators of Rome, and not without his greate
desertes : and nevertheless the same was ut-
terly obscured in his odious and euill lining.
Pea sayth Aurelius, in all perlaunces and ses-
sions for the Citie, his words were so sweete,
and his speech so reasonable, that often times
the people woulde heare him thre^e houres to-
gyther : his counsell was so graue and leard-
ned, that he easly wonne all men to bee of his
opinion: his behaviour in y^e capitol of Guild-
hall and Senate house at all assemblies, was
withouate correction, and yet most shamefull:
at other tymes was the infamie of his per-
sone & In all Rome sayth he, was abashed to
heare his eloquence, so all Rome and Italy,
were illaudered with his workes. Such
manner of memme therefore shall doe little
with their councell, except they may be credi-
ted for their good examples. And three speyl-
who shoulde
all causes the learned do obserue that wryters.
be counsel-

D.b. common

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common woes, why the aged sorte shoulde
seeme most indifferent to discharge their cal-
ling: that is, the pwofe of xperience in things
Of aged men passed: due consideracion of the tyme pre-
sent: and a good understanding of al that may
folowe. The firste commieth of continuance,
by remembryng what they haue hearde and
seen all the whyle of their beyng: whiche
hathe greate similitude of ripenesse: as Homer
noted Agamemnon in his preparation a-
gainst Troy, rather to wylle for tenne Ne-
stors, that were very auntient fathers, to as-
sist hym with councell, than many more Aia-
xes or Ulisses, that were yong and hardie, to
be his Souldiours. The second and third are
appropried most of all to age, for the stayed
governemente to moderate and rule affec-
tions, that in eldernesse most commonly
appeareth, whiche Cicero calleth the very
imbecillities of yonge and yong men. And
the same is the very wisdome that the Em-
perour so highly commended, saying: More
thyn halfe men ought to thynke on all that is
passed: they ought to bee carefull of the same:
that is present: and with greate studie to
provide for thyngs to come. Howbeit the
forwardnesse of youth deserueth preferment,

Homerus ili-
ad. I.

Aur. cap. 8.

ff,

it, as Paulus Aemilius was woonke to saye, Of wisse yng
they proue them selues in manners, wisse men.
dome and discretion olde, although they bee
yong in strength and yeeres, in power and e-
stimation. For unto many, nature hath gy-
uen hit gifte, to some education hath profis-
ted, others by learning are made wise, and
the unlearned are taughte by obseruing hy-
stories: whiche Cicero maketh equall to that Of histories.
whyche is before concluded of age. For (saith
he) they are witnesses of tymes, the gouer-
noures of life; and life of remembraunce,
the lyght of truth and very reportes of an-
tiquitie: that is, they tell what was long be-
fore, they make comparison of honest lyving,
and they conferre the successe of many pra-
ctises, even as muche was auctiente and
graue yeres may lende to tyme and perfect
age.

I countelled then beryng such a one, as Of rashnesse
it is declared, graue, wisse, and of syke con- to be auoyded
uersation to hymselfe. The most worthy
counsellor Marcus Cicero in his Oration that
he made unto the counsell of Rome, for M.
Marcellus that was endited before thē, Nun-
quam temeritas cum sapientia commisce-
tur: nec ad consilium easius admittitur:

Cicero pro M.
marcello.

Rashnesse

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Office I.

Three rules
in consulta-
tion.

First, to coun-
sell well.

Rashnesse (sayth he) must not be mingled with wisedome, and matters that come in counsell may not be left to fortune. Against whiche unadvised rashnesse, he gineth a lesson in hys offices, saying: In every deliberation or counsell to be holden, wise men must not go further than their knowledge or reason to admit and consent to things unknowen, as though they were certayne and knownen: for that is, to proue their securite: as another saith, which argueth extreme follies, to saye, I remembred not what I did, when any man casteth in their teeth what inconuenience theyr counsell groweth vnto. Wherfore three principall rules are necessarie to rule a counsellor, that is, to counsell well, in whiche is concluded, whether it be lawfull that is propounded, by what meanes it maye bee, howe necessarie it is, and for what cause. The seconde is, to iudge advisedly by good opinions: and the thirde to execute dueley all that is concluded. In the first circumstance of the first rule, whether it be lawfull or no, It may sayth Cicero after Panaetius, be doubted fourre wayes: one, if it be honest or no: Secondly, if it bee profitable or no: Thirdly by comparing the honestie

honestie and profit of the cause togither : to which he addeth two comparisons more, that is, of many honest things whiche is most honest, and of many profitable things whyche is most profitable , concluding at last in his two booke of Offices, that whatsoever is iust, is profitable, bycause it wrongeth none , and whatsoever is honest is also iust, bycause they are both of vertue , and therefore nothyng is profitable þ is not honest, so that if it swarre from honestie, though it seeme for profit, it is not to be admitted . As wisely sayd Aristides, when Themistocles proued in the counsell house at Athens , to burne the Lacedemons shippes at Cytheum, saying, *Perutile quidem, sed minimè honestum,* It seemeth profitable sayd Aristides, but in no case honest, and therfore I consente not therewnto. Another circumstance is , by what meanes it may bee : for though it bee never so honest or profitable , it is not lawfull indirectly to worke the same. Whereof sayeth Aristotle, though Arist. eth. c. it bee good and honest , perhapses it may bee practised by a siniller devise, and therefore he is no lawfull counsellor: that studyeth for the best , except he prescribe such a meanes as best of all becommeth . The third circumstance is,

Nothing is
profitable
that is not
honest.

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is, howe necessarie the same may be: for except urgent causes shall compell, it is not good to invent newe lawes. For sayeth Licurgus, As in Phisicke no newe medicine may be ministred, if the olde may cure: so if the olde lawes may serue, it is not good to publishe any other: as well obserued the Lacedemonians, that in fourteene Kings raigne, never altered one iote of Licurgus lawes, but only studyed to mayneteyne the same. And Plato in hys Bookes of common weale, gane counsell to the rulers, to charge the people with very fewe lawes, excepte they were waightie causes: bycause (sayeth hee) where officers do execute their offices iustly, fewe may serue, and where they doe contrary, they abuse of lawes may vndoe the common weale.

The fourth circumstaunce is of the cause: and that is, to consider for what reason, and to what ende the same may bee, as it is reported of Marcus Antonius Pius, that hee never yielded his consent to any Proclamation or Statute to bee diuulgéd, before hee had heard sufficiently of others, or else could well conceyue hym selfe some notable argument and meaning why the same was worthy to be

Plato. &c. re-
pub.

Antonius a
discrete coun-
seller.

be determined. These fourre circumstaunces of the firsste rule, to councell wel, beeynge this considered of every man by hym selfe, it may folowe, that many menne shal be of divers opinions, and many questions maye arise, and thereof controuersties to groewe, while every man would defende his owne conceyt.

And therefore the seconde rule to iudge aduisedly, is in lyke case to bee well examined, iudge aduisedly that is, to consider throughtly of the cause, and then to reason the same with credite: as Cicero wryteth to his sonne: *Te in consilium adhibe, tecum loquere, te audi,* Call firsste thy selfe to counsell, talke with thy selfe, and heare what thou canst say, that is, speake not rashly all that commeth in thy brayne, but be aduised what to speake, and speake it to thy selfe, as it were in thy mynde, before thou imparte it vnto others.

Agayne, bee not so tyed to other mennes opinions, that thou wilte bee easily ledde, ryther to consent with the greatest number, or else to subscribe vnto thy friende, before he hathe spoken. For that is, bothe to make vppe the number of voyces, or else as a Cypher to fyll the Romanes of emptie places. Three thynges therefore
be

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be herein to be considered, that is, to heare oþ
thers: to speake boldly, and not to wauor and
be chaunging. For the first, all men are not of
one capacite, all are not of lyke expeirience,
and that which seemeth hard to one, is easie to
another, some are learned, some are withoute
knowledge. And therefore conference hel-
peth muche to make men understand, and the
rather by orderly proceedings, with modest
communication, and withoute confounding
one mans speeches with another, whiche are
endlesse, and out of order. As it was the law-
dable vse in the councel of Augures in Rome,
euery elder in course to disclose his opinions,
and none was barred first or last to giue his
iudgement, sauing all kept silence, whyle one
alone was talking. The seconde thing is, to
speake boldly, when a man is to be heard, that
is, to viter the conscience freely withoute dis-
sembling or feare, as it was the iust commen-
dation of Cato, to be praised for his sharp con-
futation of Cæsar, and his cloaked obiections,
when they consulted about the punishment of
Lentulus, and other the complices of Catelines
conspiracy in Rome, not fearing so muche to
lose his fauour, as he was carefull to speake the
truthe. And worthy was the aunswere of wise

Pelopidas

Cic. de Sena.

Pelopidas to his wife, to be the wold persuade Pelopidas. him with bitter teares, to give ouer the common weale, & to respect rather his private life, O woman (sayth he) common persons haue only to care for themselves, but such as are electid to preserue the Cittie, must not so muche regard their own affections as to breue the truth boldly, though it were to lose his friends, and to be made an enemy. The third, is not to waite and be chaunged without iust cause, from contrary to contrary, but to be of such staled iudgement, as no gifte, or faire speeches, nor yet the baine opinion in the credite of an other, shall easilie remoue him. It is not meant to animate any in their frowarde follies of perseveriance in stiff opinions, without the warrant of reason, nor to approue the singularitie of such as endure still wise in their owne conceipte, but only to saymen, to abyde in god and sound counsell once set downe and pronounced. For what was euer so great shame unto Demosthenes, as when he countelled the Atheniens against all the Orators besides, not to receive Harpalus into the ciste, being fled from King Alexander, when he required the same, for great compositions to be madetherefore: and yet was he bribed the same night, for one cup

Wribery in
Demosthe-
nes.

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of golde and twentie talentes, to recant all
that he had sayd, and to new guylt his tongyn
for money? In somuch that on the morrowe
comming altogether agayne for the same mat-
ter, hee came as one diseased, with his bosome
and necke close wrappyd in furres and warme
clothes, as it were not able to speake a wod
of all that he had sayd the day before, cravyn
pardon, for a griesse that troubled him in the
throate. Whiche corrupt dealing being espyed,
the same was fared presentlye with a greate
fine, and his body sent to waerde til the money
was payde.

Three rules to ex-
ecute mat-
ters of con-
sell. For the same is as necessary, as bothe the
other are profitable. In which is first of all
to bee heeded, that all decrees and orders be
set downe plaine in fewe wordes and bryke
speeches, not intricate and harde to bee under-
stood, not obscure or amphibologicall, to bee
worsted into double and doubtful meanings,
least they may bee interpreted more to catche
and snare the ignorant, than els to directe
and resourne offendours. For so myghte
the obstinate intent to slaunder good lawes,
so be enacted with paynes, only to emptie the
purses of the people. For remedie wherof,

out amentys gave the custome to publishing
such statutes with all bennys & familiar speches
ther, by writing them in plaster tables, to be
syred and hanged up in open light, to be read:
and considered of all soores and at all tymes.
It is also to bee observed in the charges & pen-
alties of all statutes to be made, that all may
be alike amerced, and all persons equally taxat-
ed & assyred, þ þ same may not be a warning
only unto þ rich, whiche is punysshable in þ poore;
þ one go not free, whiche another is amerced þt
none of þ poore or authoritie be fauored to oppri-
misse & peruidice such as are þt simple wþ þt
þt weare, deuised to execute þt justice; and þt þt
terred of þt bretters, and all degrees after one man-
ner, except þou wil say, þt because the magistrates The poore
& weylie persons do often make þt poore and to be fauor-
complain soþ to suffre þt violence, therefore þt less- red rather
mercite and good discretion shold somwhat tolerate that in the simple, whiche in the wþd
soþ & Magistrates wþdlaes for þt justice & þt
and þt safer ought to be iudged with al sever-
tie. þt that is good humerite, to qualifie ex-
treme rigor where fortune casteth downe; espe-
cially, to a pecuniþ of such lawes perteyning þt of
Aristotle, wherre hee wyrte I thought many Ar. cch. 6.
thinges carrequisite by legasure to be concilie-

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The Safegarde

Of slack=
nesse.

It is verteffor to it necessarie to execute the
same with speede: for to spende occasion,
and to procrastinate from day to daye, doeth
make god practises by malice of the wicked,
to be peremptorie prevented: and sometimes
it groweth to great mischief, that at first was
safe to let curre: as when letters were sent
from Athens to Archias gouernour of the Po-
larches, detailing the treasons of certain out-
lawes conspired against him, he laid them un-
dye his pillow all night, saying : Because I
judge they are weightie matters, I will ad-
dresse them till to morrow: But before the
morning his death was concluded, and his
life taken from him. If Cicero in his conseil-
shippe had not spedily put in practise the order
that was taken to supprese the rebels, as soone
as Fulvia the Parantour of Q. Curius had dis-
closed the intent, he had the same night bene
slaine in his owne house, and the whole Cittie
burned. These be the three rules that may direct
a woyse man to doe good service in counseil, for
the common weale, and to make him merite
the good report and estimation that longeth
to behaviour in so weightie a charge, that is:
first to be instructed to counseil well; by con-
sidering if the thing be lawfull; by what go-

best means, how necessary, and for what cause
the same shalbe done. The second, to judge
advisedly by examining himselfe with discou-
sion before hee utter his opinion rashly, and
to heare others without disorderly speeches of
babbling and tangling about other matters,
or else confounding talkes of many causes, or
else anticipating by hasty scurfit to cut off the
virtute of an other, at his tongues ende, which
is most preposterous. And besides, he shal
shew to speake boldly and without affraction,
and last of al, to be shidfast and staid in sound
opinions, without swining and returning,
speaking and unspeaking, affirming and de-
nying, for favour, hatred or reward, as it was
the beginning of Caesars oration in the
Senate of Rome, when they saue about about
Cæcilius rebellion; All men sayth has; (most
worthy Senator) that are to cōsult of doubt-
full causes, must first abyre all hating, friend-
ship, wrath and pittie. The thirde rule mes, to
be well aduised howe to haue such masters
executed in due tyme, for equitie, right under-
standing, & good opportunitie þ is inestimable pub-
lition of all causes. Without which quali-
tione, and good moderation, they were not used
in elder times to be allowed for the common
weale,

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to vende to be chosen to this calling, 'till ent
galloured; and had full securtie began to pre-
dictem without defect; only for their inher-
itance; wealth or antiquite: as fiftie it was

Of me cal-
led more
for substance chamber at Rome, when he sawe a man
than witt, to be a signator, only for the
greate possessions that then were deserv-
ed to him, whiche before that time was the
simplest of an hundred, accounted of no cre-
dit, and ignorant also, without knowledge,
without wisedome by dissencion: but now son
the same he was advanced in al hast, because
he was right, and his iudgemente as easie
desirous the best. Dismyth Ciceron, scoffing at
his entouchyness, and chauinging that of the
poore, vna facilius, quam vocant sapientiam
am, intacutius hereditas, quam vocant sapientia
ram. Will you see (sayth he) the wealthes of
yonder man, which is called wisedome, and
the poore thyde, to the nexte and ready
witt of him which may be called wisedome?
but Cicero to note that this knyght had
all the witt he had, ou this the onely cause
why he was preferred to a wise man: remou-
chanced the same wordes per ironiam for
very shame. But to the good advise of choy-

sing councellers, maye bee referred the same
that is sayde in the last Chapter of Magi-
stres. Only is to be remembred for conclu- Of concord
sion of this parte, that councellers whiche are in counse-
lors.
chosen to be many in one, and to consente in
one togither, as is shewed in the beginning
of this Chapter, shold loue one another, and
to be of more firme friendship than any com-
mon persons, knowing that concorde in them
is untie in all degrees, and a little variance
among them setteth discord and contentions
every where. They must also councell for
conscience sake, without emulation, without
singularitie, without vaine glory and ambi-
tion, bearing one with the want of an other,
and councelling one another, for the authori-
tie of gouernement and common weale. For
princie grudgings and secret emulation of such Of emu-
moste specially doeth interrupt the good suc- lation.
celle of all that is taken in hande. And that
made Aristides to confess in Athens of hym-
selfe and Themistocles, beeynge both of the
council, except (saith he) you can burie
vs bothe togither, so long as wee lyue
youre Cittie can not prosper: noting that
the emulation and contention betwene
them, woulde never lette the one bee

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ccv

submitted to the other, to be ioyned in one o-
pinion or consent. Insomuch that Aristides
was faine to tisembly ostentynge, and to fa-
vour his inventions with the speeches of other
men, and that to win Themistocles to deter-
mine aright, which otherwise of a verye hu-
mour to alter and contend, hee woulde never
doe. Was not the same lykewise unsiting to
the persons of Cæsar and Cato to contend for
nothing, with many light words, whē they had
the serious busynesse of the common weale
to entreate appon about Catelins conspira-
cie, and all for the sight of a letter written to
Cæsar and delivered in the court? For it was
offence unto them both, & both deserued sharpe
rebuke therefore. Of a very envious surmise,
Cato urged him stil to shewe the letters open-
ly, alleging them to be of high treason, & that
they came from Cateline, about whome they
sat in counsell: and Cæsar as tauntingly cast
them at last unto him, to peruse them secretly:
wherin was conteyned nothing els, but com-
mendations from Cato his owne sister Serui-
lia, written unto Cæsar that shee would come
to his bed that night. What ioye it was for
him to reade them, who iudgeth not? And
whether he had not cause to blame his owne
follies,

Cæsar.
Cato.

follies, as þy inst byre of such unseemely tauntes, the end proued, that much abashed his wisedome to thinke thereon. And last of all he. Of keeping longeth vnto counsell, that when matters counsel. haue bee debated, and all parties agreed, all shoulde bee folded vp in oblivion, and every man to be secretarie to an others speeches. For howe shall men consult soundly, that may not disclose their conscience? Howe shall men vster conscience, if they be not free to speake? What freedome is it, that shoulde after ward come in charge to him that spake it? And who shal not be charged sometymes with vnruthes, where matters of counsel come to common hearing? It is not therefore the least poynte of vnwor- thiness, but utterly to be condemned in grave & wise men, to be talkative above measure, in any the common affaires of publike weale, out of such places as they are to be decided, least o- dious suggestions & inward surmises shoulde take holde, to foreiudge a great deale worse than the cause deserueth. But of all suche secret felowes, as are sickle with keeping coun- sell vntil their wenes or their frendes bee made priuie of the newes, Antigonus was wont to say: I loue such felowes for nothing els, but for because they are so full of wordes and

Of blab-
bing coun-
sellors.

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Chilo.

Papirius.

carrying newes, as commonly they wil disclose howe they haue disclosed their felowes secrete : As thoughte hee shoulde say, they are the more to bee tolerated, bycause they can not dissimile their faulfe, whereby the suspition might runne on other men . For as Chilo the Lacedemon and one of the seven wyse Greekes was wonte to saye, when many are priuie of the inatter, whosoever he be that btttereth the same, it can not bee chosen but manye shall incurre suspition of the crime . And therefore when Lysimachus proffered to Philipides whatsoeuer he would aske, nothing els, O King (sayeth hee) but to keepe from mee thy secrete : Well con-
sidering the greate daunger that commonly folowes so harde a charge . Wherein most notable was the greate wisedome of Papirius being but a childe, and for his towardnesse and sobrietie suffered in Roome to waite on his fater in the Senate, who on a tyme being earnestlye solicited of hys mother to knowe the newes, as women most of all are inquisitive, and weyng his dutie to be compared to the unreasonable intreatie of his mother, devised very wyllyng howe to satisfie hit humour, and yet to bischarge his dutie also:

many

mary sayth hee, to stop hit mouth, a lawe was
made to day, that every man might haue two
wives at once if he would: by meanes wher-
of, she procured many matrones to goe with
hir to the hall the morrow after, to take excep-
tions therunto, and the practise of Papirius ap-
pearing then unto the Senate, by judgement
of all deserved great commendation. Many
also may we read of, þ endured sharpe threat-
nings and violent taunts, to reueale the coun-
sell of others, and yet could bee nothing mo-
ued. How much more carefully then is þ said
to be required in the ministers of the common
weale, whome no threats or cruell menacis
should perswape to utter the least incommo-
ditie that toucheth the uniuersall state of all?
But now of such things as chiefly & most of
all by Magistrates and common provision
are to bee staled in everye state of common
weale, for the gouernement of the people, and
credite of all them that are charged therewith-
all, as in the next Chapter.

CHAP. 12.

Of certen necessarie things to be staled, that
belong to gouernement.

Where

The Safegarde

Of religi-
on.

Heathen
religion.

Here the godly discipline of the churche
set forth by god and reasonable wises,
is by the Magistrates carefully preferred, it is
the greatest wantant of all, that God is ho-
noured and dulye served : And where the
Magistrates and people embrace religion, no
doubt but moral pollicies, and for religious
sake, shall work in all degrees. These things
therefore are incident, to the exercise of religi-
on: uniforme order, observation of dayes and
tymes, and the extirpation of schismes, and
divisions. For the first: what almost an
onlye care, what greate treasure, infynite
expences, and costly denises, bestowed the
Paynimes and Heathen people to set forth
theyr glorious Temples; their Oracles and
prophesies? What authoritie and admira-
tion was ascribed to the Auguries, Flamines,
priestes, and other intendentes about their
superstition; as of Apollo at Delphos, the
Temples of Janus and Saturnus, the voice
gine Vestalles in Rome, about the keeping
of the holy fyre, and canonizing of pictures,
and such lyke? And yet all was incredulite,
and very vnbelief. Howbeit they had some fe-
leng of heavenly things, that moued their ig-
norance so to doe. For they imagined some
excellent

excellent nature, exceeding all other, they considered an inward imperfection in themselves, and devised to sacrifice in daunger and necessitie, as is sayd,

Primus in urbe Deos fecit timor.

Fear was it, that first of all
the gods on earth did make.

And as religion hath the name of Relegendo of often reading, and continual exercise aboue the scriptures and traditions: so the same of Paganisme is termed superstition of Superstites, that is to be y only living of all that are deade. For sayeth Cicero Lib. 1.
de natura deorum: They prayed all their lyfe and made offeringes, that theyr childe ren might lyue to them for ever, and thereof came they to bee called superstitious worshippers. But among Christians whose Christian religion is depurated holie, without superstition of Judaisine, without monstrous belifes of the Gentiles, and without impietie of Mahomet informing men to all godlinesse and to abhor vice, there is one onyle God of all, and one undoubted trueth, that teacheth one unforme religion. It were then soule absurditie, and more thā irreligious and godlesse, to deface or neglect y decēt & stately being

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being of religious places, of churches & orato-
ries, which the heathen of ignorance so high-
ly tended, and in Rome, by the officers Ae-
diles was prouided for : and as manifest secu-
ritie may it seeme lyketwyle, as the other is ab-
surde, to committ the care and function of holy
things, to men of manifest euil fame, of lesse
wisedome than knowledge, of worse example
than the worst, without learning, without
maners, without gouernement : or els inde-
shamefully to slander, backebite and fulle
teate, with priuile grudgings and open con-
tempt, the state and calling of the godly, and
wilfull, that laboureth painefullly to doe their
charge. This is therefore one poynte of a good
Magistrate to be loked unto, touching the ob-
servation of holy things to be disposed, and the
credite and estimation of the ministers of the
same, against miscreantes and euil persons to
be defended.

Of keping holidayes.

The seconde is for obseruation of
dayes and tymes of religious exercise: which
hōme much more estloncs the same is daylys
or timely bled of any people, the more is their
praye undoubtedly that gouerne there. And
to such godlesse ones, that at no tyme more
than other will reclaine them, and beslowe
their vocations to serue God as well as their
own

owne deuises : let the prescriptions of heathen people, that most religiously obserued their sevillall dayes, and the down prostrate Turke that neyther walketh, gateth or talketh in the Sinagoge, and the wilde moasters of mans lykenesse, that most devoutly kneele to the sun and Moone, and bowe their hartes to adore the starres, bee presidentes of example, to gather them in reverent sorte to hallow the Sabaoth with prayer and contrition. Which is, briefly to execute the godly provissons þ good lawes haue draffed for reformation and amendmēt: that is, to frequent learned sermons and lectures, on those dayes aboue other, as it was the maner of the Jewes at such tymeſ most of all to haue the day spent in solemine resoning and disputations of the lawe, to take awaye doubtes. And as the godly in their often meeſtings and conference, bestowe their leasureſ to aske questions of the learned, and to bee ſolved in opinions, I meane not by carping intentions and vntreverent ſpeeches, but with zeale and Simplicitie . In ſteede whereof, what can bee more odious, than that which hath by ſ nomination wholy to bee employed to wanton meeſtings, and moſte damnable occupations ? So that horne wickeſtly

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kedlye soever the rest of the weeke is vsed; the holyc daye is sure to bee moche shamefullye spent of all: The first institation wherof was not so muche to glie the bodie rest from corporall labours, as to enioyne y minde to contemplation, and all maner of spirituall exercise, whch godly vse of hearing, reading, and conference with others in matters of religion, is no doubt not only the instrument to instruct men unto righteousness, but also the very meanes to oblite many foule and enomious vices that idlenesse is acquainted with.

Of repressing schismatikes.

The thrid parte is for the extirpation of schismes and deuisions: That Magistrate shuld bee carefull to supprese buse heads, that spurn agaynst authoritie of god proceedinges, by defending errois, or inferring new opinions to trouble unitie, or to maligne the trueth, which subuerteth in the end all maner governement. Of whch sorte are some that assemble them, and are colord to orders, for nothing els but to renewe their malice, by catching some skape out of the preachers mouth, or els to dissemble their cloaked profession by an apparence of god intent, because they feare the lawe: and some more pharisacall than the rest, to bee knowne religious pilgrimes of the best cloth,

have

haue shifting busynesse from place to place, to excuse their absence, masking vp and downe about mischiefe, to deceave the simple, and to get a name of learning; where they may bee welcome: in the meane while misysing treasons, inventing slaunders, prophaning religion, and hoping to haue at last the great alteration of the common weale to be turned on them. And suche are the Magistrates most bounden to sifte and trie without feare or affection, if they tender the good preseruation of lawfull government, and to set straight orders & decrees to supprese such obstinate offendours, & last of al to take heed there be no skarre in their owne example, to animate þ hardinesse of other. Next unto religio, are common schooles Offschooles & learned tutors, to apparrell good regiment, that yoush may so be nouisled in vertue from tender yeres, as their life may profit the common weale in times of more maturite and ripenesse, knowing that education worketh all in all degrres. By reason wherof, the Egyp- tians had farre more consideration, to haue all framed to good letters, than to any manner of activitie and manhood, and they least of all esteemed them, that most of all excelled not in some notable kinde of science or knowledge.

M.

And

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The libra-
rie of Alex-
andria.

And therefore their king Ptolome made the great librarie of Alexandria to bee the shole house of all posterities: and in honor of the Muses and Apollo, he made solemnne games of great price, for the learned to frequent and vse. And so hath antiquitie euery where provided to preferre the learned aboue others, and to gayne them estimation, onely to animate youth the rather thereunto, as Cicero sayth,
Honos alit artes, It is the onely hope of honor, that maketh menne to seeke knowledge: for things that are not esteemed, all men do contemne. The good foundations then of scowles, are the bridle of youth, the beginning of ciuitie, the way to good order, the doctrine of dutie, the pilote of policies, and the only furniture of a common weale. For it is the ready meanes to unite learning and governement togither, wherof Socrates speaketh in the chusing of a Magistrate, and the uttermost of all felicitie, as Plato sayd: They be they most happy, when learned men doe governe by knowledge, or els governours are carefull to embrase learning. The contrarie wherof appeareth, where simple felowes that neuer came where knowledge groweth, are preferred to be rulers, by that they utterlye condemne the travellles of the learned. The third regard is touching

Socrates.

Plato.

touching all common prouisions for the necessitie, profit and credite of the publike state prouision.
of the people, to bee rightly and duly ministered . All which,because they depend on the common banke or treasurie, which is called surie or the housewife of the common people, the same is principally to be regarded.

Wherefore sayd Demosthenes, *Pecunia reipub. sunt nervi ciuitatis*: the treasure of the common chamber,

may be called the sinewes or marow of the citie. So sayth Aristotle, without such profits, augmentations, and reuenewes, no common weale is perfite.

In which pointe Cato Junior was so vigilant in Rome, that after hee came to bee treasurer, and well considering howe many wayes the citie was to be charged velered, for common necessities, and perceyuing that the mitigation and releife of paines and fo- failures practised by Sylla for the trespassors and regrators, had greatly abated their substaunce of the Exchequer, besides that it gaue encouragement to offenders, through hope of fines and issues to be pardoued and saued by the wonted manner : Sylla Cato in a shorte space, by his care & diligence refourmed those euill customes of lycence, and greatly enriched the office to his enduring fame. And that was by his continual attendance on the court

*Of the cb
mon trea
surie or
chamber.*

*Demosthe-
nes.*

The seuerite of Ca-
to mottie
worthie to
be folowed;

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both first and last to execute the lawes straitly without affectiō. Whose example by great reason, may be transferred to every state of common weale, both to enure justice and civilitie, and also to make a lawfull gaines therof. For though lawes bee not made to confiscate the wealth of others into y cōmon coffers, yet if peines and foſfitures be not duly taxed, what peace or government can ſuch lawes procure? And therefore ſeveritie gaineth double profit: it redreſſeth euils, & winneth wealth, to bee emploedyed to goodneſſe. Here might bee described every particular plotte of common charge, as they that write of publike weales, ſet forth by name, for the comodiouſe being, honestie and necessaries of townes and Cities, as beautiful ſhewes, theatres, halles, judgement places, priſons of punishment, almehouſes, market places, high wayes, watercourses and ſuche lyke, for the eafe and utilitie of the people of all condiſions, and for the aduaancement of ciuitie and iuſtice, if the necessitie therof were not better knowne, than the commendation is well conſidered. In which pointe, if our au-
testers had bene ſo careleſſe, as wee at this day
are, that ſkarce will adde to their beginnings,
nor yet maintaine their good deuices, the good-
ly

The great
care of an-
tiquitie.

ly monuments and fair buildings of publike
prospects, the only spoiles whereof remaine
with vs, had never bin begun. But if Cicero Cicero.
were wont to say of private persons, *Dignita-
rem viri, auget adiū pulchritudo:* the estimati-
on of every man is the greater, for his fair and
costly houses: which therefore made Lucullus
to excell in stately and sumptuous buildings.
Then how much more haue Magistrates to
consider, that the negligent decay of common
furniture y beautifieth a whole towne, great-
ly shall discredit and deface the liberties and
state of such a people? But most notable is y
of elder times, that the Magistrates never cea- In olde
sed of their owne proper charges, every one to time every
adde yeerely to others inuention, to benefite Magistrate
such common causes, til all was perfited with was bene-
immortall fame. The fourth thing to be pro- factor in
vided for, is the tranquillitie and peace of all some thing
the people, to live togither in unitie and safetie
every degree in their calling, and every one by
theire owne labours, that all men may possesse
their properties to themselves, & none to live
by the spoyle and swete of other mens tra-
vels: All which is nothing els, but to execute
y good provisiōs of lawes & justice, to chassise
notable offendours, which is in deed, y whole

In olde
time every
Magistrate
was bene-
factor in
some thing
Of peace.

The safegarde

Idle per-
sons to be
cut off.

Dracoes
lawe.

Cato.

A worthie
lawe.

contentes, of all that euer god government in
the charge of Magistrates can comprehend.
And amongst all, nothing is more necessary
to be seuerely seene unto by officers, than to ab-
ridge the idle and unmanered lyfe of them
that contemning all lawes, as it were to set
all at libertie, doe practise no way to profit
themselves and others, but rather by idle ima-
ginations, are euer studying and inventing,
by devising slaunders & carrying tales, to sow
debate and discord among frendes and neigh-
bours, in hope to gaine some praye at length;
by thir trauelles to relieue their idlenesse,
which kinde of people by the lawes of Draco
deservued death. For they were accompted rob-
bers and no better, of whome may very well
be verifid that of Cato and Columella, saying,
nihil agendo, homines male agere discunt, by idlen-
esse and doing nothing, men practise to doe
evil: As the Philosophers haue obserued, that
the minde of man is never idle, but occupied
still with some imagination, so that say they,
if the sanie bee not about some honest exercise,
it must needes be some notable evil. The E-
gyptians therefore had a lawe, that at certen
tyme every yeere all the people appeared to
giue a straight account howe they liued, and
were

were by interrogatories thereof examined: to
which if they aunswere'd trulie, or els were
conuictid of vnlawfull living, (for al was vn-
lawfull that was not some wayes profitable) ^{A notable} example to
they were presently condemned vnto death. ^{magistrats}
And Cato being Censor of Rome, so greatly
abhorred idlenesse, that in examination of sus-
picious persons, he first used to feele their handes,
to the intent that if they appeared full of knidge
and haide, they shoulde rather lanoured: but
if they were softe and smothe, except they were
well knowne, they were hardly punished
for a small fault: for it was a common pro-
uerbe, He that hath good handes, hathe good
conditions. He therefore compared the lyfe
of man to the similitude of myron, which the
more it is vsed, the more it vernisheth and
shineth: but if it be unoccupied, the rast
consumeth it all to naught. But how far vn-
lyke are the tymes now, to the Egyptian ma-
ner, to gine account of liuyng? or els to the
seueritie of Cato, that tryed all by the bande?
For as for other reckoning, the loyterers ma-
keth none, except they accoumpte with Galba. Galba
þ parasite, þ affirmed such to live in most secu-
ritie, that live idly, because idle persōs are not Idle per-
sons at all
examined of idlenesse, wher others must be ru-
libertie.

The fassegarde

led by order to doe all that they dor. And for shewing forth of hands, what can it proue, as long as a liuery coat, or some pretie toye of a ganteler, opels a wanding warrant of licence to seeke abroad, is well indugh allowed? Was there ever more neede for officers to maintayne of unlawfull games, that feedeth idlenesse, & consumeth thift? Was it ever so needful to abridge the haunte of them, that make drynking an alehouse exercise, and drunkenesse a felowshippe? Were there ever such harbouroughes of idleness; as tippling houses and tavernes are now adayres, to set all sorte at libertie? The vice was so great in K. Edgar's tyme, that he travalled through all the realm to supprese the same, leauing not aboue one alehouse in a towne, except create Boroughes, and so measured the vse of quaffing, that he ordained cappes with pinnes about the sides, to be markes for drynking, vnder great forfeitures, not to excede the same. But sure there are more alehouses and greater quaffing now, than in Edgars tyme, and yet Iesse noted too, except it bee, to know where is best drinck, and the most haunte. The charge therefore of Magistrates is, to refourme suche abuses to the first intent, that was, for wayfaring trauellers, and not to serue

K. Edgar.
Anno. 959.

serve for idle hosties: & in stead of such shamefull places, to erect necessary shourges, to compell idle persons unto labour. And on the other side, as idlenesse is punishable, so the case of the houses. poore and indigent is by common prouision most charitably to be considered. For that was the reason, that Plato so impeighed to exclude all sturdie beggers out of his common weale, that the neidrie succourlesse might bee more plentifull relieved, by whose president it is, that Magistrates doe specially appoinste inferior magisters, and to mētērs thēirto. But how many are so hard harted in many places, that rather than they will spare unto the poore, wil yet slayf, as Plautus did to serve their pur-
pose, saying, to givē unto beggers is nothing, for it doth no good at all, because the almes perisheth, and his life is prolonged to further miserie? How fewe so gōod examples doe Ma-
gistrates ghe, as Cymon the Athenien, that vs Cymon.
sed to haue his Sergeant almoner, to folowm
him with money to bellow on charitie whēre
ever he went: For as a wise man sayeth: eue-
ry priuate mans abundance is y loued goods
of the poore: and therefore Licurgus opinion
was, that nothing shoulde bee priuate to anye
man, that an other needeth. In stred of which

D.b.

god

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god and charitable disposition of the people, as of all in general is required, þ most worthy adies of them that first erected hospitalles, shall be eternized in all ages : and the good imitation of all that followe the lyke example, must needes declare a christian soule, and merite praise . Whose great purchases and farmes, vnknoþne wealth, and sumptuous houses that they leauē behind them to their heires, can never so renouue the name of that posteritie, as such godly wyrkes shall merite praise for ever. And I thinke we may dare to saye, that if the charitable Deedes of auntient tymes, whiche of simple devotione were bestowed on religious banities, to breedre vp idle cloisfrers and abbey felowes, had bin more careful-
ly employed after this sort, to sustaine þ peple: the great indignation of God, had not thron-
en downe their houses, in which much pouer-
tie was reliued, to make dwellings for op-
pressing landholders in steede of almes gluers:
of whiche the poore so much complaine, when
they see the shattered walles that yet do stand
by gods iudgement, to remember all ages
of so greate abuse in the one, and ingratitude
of the other, þt religous for prophaninge his
name, þt p[ro]p[ri]etor they; unthankefulnesse,

that

that the endt might bee to all people the
witnessse of his vengeaunce . And last of
all, as touchyng that other prouision, where
no certen salarye is knowne to refresh the
poore, but is vncerteinlye gathered by the
wisedome of discrete Magistrates : No
doubte but good counsell and persuasion may
set such lawfull orders, as the very motions of
charitie may easily further so godlye a pur-
pose, which so farre perteyneth to the dutie of
Magistrates, that the relief of the poore, excee-
deth the rest of all their charge. An other point
for saueguard of the people, is the circumspetē Of night
watches.
attendance on the peace, that no quarrellers
and common harretters be licensed or suffred
to trouble the quietnesse of other that trauell
with paise to sustaine their being. And there-
fore chichly, our auncestors devised heedful and
privie watches in the night, to supprese the fit
occasions of them, that chuse then most of all
to practise their malice and mischievous in-
tents, by hope to scape unpunished. For when
was the vicer destruction of Rome preten-
ded by Catiline and his complices, but in
the nighte to bee settē on fire and burnēd ?
When was theyr counsayle to murder
Cicero, but even in the deade syne of the
night,

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night, when all the people were at rest? When doe the cues, housebreakers, barretters, adulterers, bnsbriſts, and idle persons, exercise their gracieleſſe deuiles, through backe & bywayes, by most ſinifer & ſhameful practiſes, ſo much as in þ night ſeasō, whē none do think of daūger? And then all priuie meetings and haſards are concluded, watchfull trespassors and untaimed younches raunge abroade, and ſuche as ſlepte all day in Tauernes, walke waking all the night to ſeke their praye . And therefore ſayde Cambyses: then shall Cities be moſt of all in ſuretie, when gaſdians of the peace ſhall ſtrauell to keepe the night in ſafetie . Inſo- muſch, that in Rome one of the lawes of xij. tables was, þ if an offendor were killed in the night, his death might be iuſtified: and beſides that, whoſoever walked at unlaſtall tymes, was moſt ſerely puniſhed, yea though none other offeſſor were proued. For remedie wher- of, to execute the ſame lawes ſtraiſtly, they bleſſed in cury ward, at all ſeasons to kepe their waſhes, and in tyme of daūger the Magi- ſtrates appointed ſpeciall preuofis therunto. Whoſe ſcenario neuertheleſſe had ſet all in daūger, when Brennus and the Galles bele- ged the Capitall, if the cackling geſle had not better

Cambyses.

better waked than the sleepie watchmen. And therefore famous is the life of Alexander, that in all the tymes hee vscd to watche, his maner ^{Alexander} a president, was to holde a ball in his hand ouer a brasen pan, by the fall wherof he was sure to breake his sleepe. Which I thinke hee learned of the cranes that are taught by nature to roost on one legge, with a stome in the other foote, alwayes by falling redy to wake them, if they ware drowslie where they stande, euermore in perill to be taken. By which is noted the great care that belongeth to such as haue the charge of the people and of their safetie in tymes of daunger, that they shold bee watchfull persons, not weery sleepers, not common trespassers, not peacebrekers, not timorous and fearfull, not of evill fame, and more lyke to conceale offences than to vtter such as shal offend, or rather vse the time then most of all to serue their owne vngratiouynesse. Whereof many good writers haue entreated at large, as touching the necessarie, office and charge of suche sorte of ministers in a common weale, with the circumstancies of the same, which is by so many good prouisions and lawdable customes exercised of y^e wise, y^e none knoweth not what peace and quietnesse it causeth, and contrariewise,

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wise, what notable misdemens, oþe robiries,
shameful conspiracies and odious enterprases,
are most boldlie practised, where suche lau-
dable pollices are negleced or not severely &
discreetly put in execution. Many like prouis-
sions might be here remembred to further the
praise of necessarie gouernment, if the same
were not so wel knownen unto the simple, as þ
only care and god intent of magistrates, may
easely supplie the whole. To conclude therfore
of ciuill regiment that wholie dependeth on
virtue, and only for vertues sake by lawes and
pollicies is enbred, as hath briefly bene pro-
ued by the moziall obseruations of philosophie
and the auncient fourme of government, in
the florishing states of all people, by resour-
ming al degrees to that first perfection, which
the onlyzeale of virtue first of all enabled:
let this suffice, that the freedome of so greate
decay may none otherwise, than by seruitude
of lawes, be last of all repayred: wherevnto, if
both the common sort wil be tractable and o-
beysant, and also the magistrates carefull for
to rule as conscience and duetie bindeth, then
shall virtue take freedom by lawe, and al the
people shall bee ordered with equitie: justice,
þal preserue peace: peace shall bring securtie:
securcie

securitie wealth: and wealth, felicitie, on the other side, if the people abide indurate to rustic behauior, or magistrates neglect the authoritie of lawes, the wāt of gouernmēt brea-
deth licētious libertie, libertie doth opē wōg,
wōng doing is unpunished, the people are
animated vnto lewdnesse, & most part suffer
violēce, by lawles practises, robberies, oppres-
sions and menacing injuries, so that þ simple
are quelled with extremities, and the best of
al shall posses neither life nor goods
in safetie, to the great dishonoꝝ
of Magistrates, and the vt-
ter disperagement of
the common
weale.
(. . .)

FINIS.

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